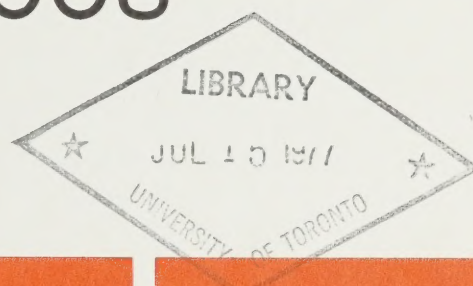


Provincial agricultural legislation up to 1977


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PROVINCIAL AGRICULTURAL LEGISLATION UP TO 1977

WESTERN PROVINCES

A.R. Jones

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ABSTRACT

This is one of a series of handbooks published by Agriculture Canada to provide interested persons with essential information about the laws of the Legislatures of Manitoba, Saskatchewan, Alberta and British Columbia that pertain to agriculture. Companion publications cover legislation enacted by the other provinces and by the federal government. A related series summarizes policies and programs for agriculture administered by the provincial and federal governments.

This text is based on the Revised Statutes of Manitoba, Saskatchewan, Alberta and British Columbia and subsequent amendments up to December, 1976.

Legislation is grouped in these categories: Administration, Land Policy, Finance, Production (General, Crops, Livestock), Marketing, Agricultural Societies and Education, and Co-operatives. The main purpose and provisions of each act are described in condensed form. The foreword to the handbook makes it clear that the information contained in it is for reference only and has no legal status.

FOREWORD

This handbook provides information on the legislation affecting agriculture passed by the parliaments of Manitoba, Saskatchewan, Alberta and British Columbia. It updates the similar summary published by Agriculture Canada in 1975.

This text is to be used solely for information. Some of the original acts are spelled out in great detail; others merely sketch in the central purpose of the legislation. Therefore the task of making a brief and accurate synopsis of each act is a hazardous one, and the reader is cautioned that these summaries have no legal value. When a legal opinion is required, the original statutes themselves must be consulted.

Agriculture Canada greatly appreciates the time and effort generously given by senior staff of the departments of agriculture of the four provinces. The project was co-ordinated by A.R. (Jerry) Jones of the Economics Branch of Agriculture Canada, with the assistance of Tom Joyce of the branch's Regina office in the updating of Saskatchewan and Manitoba and of Delphine Abrahamse of this Division in the updating of British Columbia.

Other handbooks in this series contain similar information about agricultural legislation in the other provinces and in the federal government. A companion series deals with policies and programs for agriculture of the provincial and federal governments.

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MANITOBA

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MANITOBA

1. ADMINISTRATION

CROWN LANDS ACT, CCSM C 340 RSM 1970. Amendment: SM 1976, c. 67.

Minister of Mines, Resources and Environmental Management and Minister of Agriculture (agricultural lands).

Establishes the Lands Branch of the Department of Mines, Resources and Environmental Management to manage and administer non-agricultural Crown Lands and the Agricultural Crown Lands Section of the Soils and Crops Branch to administer and manage agricultural Crown Lands.

The powers of the Lieutenant Governor in Council, and the powers of the Minister to lease Crown Lands and to issue permits of occupation or use of Crown Lands are outlined. The statutory reservations to the Crown that must be made when disposing of Crown Lands, eg., water and mineral rights, are detailed. The methods of collecting arrears of rents and fees, and the repossession of land adversely held, are described.

DEPARTMENT OF AGRICULTURE ACT, CCSM A 40 RSM 1970.

Minister of Agriculture.

Establishes the Department of Agriculture and outlines the duties of the Minister.

The Minister is to control, manage and direct that part of the administration of the government relating to Agriculture. This includes matters dealt with under the Acts listed in this Act or regulations made thereunder.

The Minister may collect and disseminate statistics and other information relating to Agriculture & rural life, conduct extension and joint programs, make grants, acquire lands for agricultural purposes and enter into agreements with the governments of Canada, other provinces, municipalities or public bodies.

MUNICIPAL ACT, CCSM M 225 SM 1970, c. 100. Amendments: SM 1971, c.c.'s 27, 81, 82; 1972, c.c.'s 22, 41, 42; 1974, cc.'s 1974, cc.'s 7, 3; 1975, c. 19; 1976, cc.'s 39, 60 and 69.

Minister of Municipal Affairs.

Several sections of this Act relate to Agriculture.

Councils may pass by-laws for instituting measures for the destruction and control of insect pests and plant diseases, respecting diseased animals and fowl, regulating fur farms, providing for compulsory treatment of livestock, and for prevention of parasitic and other diseases, for the control of dogs, respecting milk, drainage, fodder financing, land use control, slaughter-houses, stock-yards, vacant land and the employment of veterinary surgeons.

The Act also sets down the priority of promissory notes given in return for advances to farmers for seed-grain, fodder or motive fuel. Such a promissory note is a first and prior lien and charge against the land and may be collected as taxes in arrears. Penalties for misuse of advances are described.

PLANNING ACT, CCSM P80, SM 1975, c. 29. Amendment: SM 1976, c.51.

Minister of Municipal Affairs.

Offers Manitoba municipalities an opportunity to make co-operative long-range land-use plans.

The Act provides for the development of land-use plans and controls at a district level, involving two or more municipalities, under authority of a district planning board.

The Lieutenant Governor in Council may appoint an Interdepartmental Planning Board to develop long-range provincial land-use planning and policies, to co-ordinate such policies with other government programs and to ensure that district land-use plans are co-ordinated with provincial policies.

The Act is divided into a number of parts that include provincial land-use planning, district planning, development plans and land-use control.

II. AGRICULTURAL SOCIETIES AND EDUCATION

AGRICULTURAL SOCIETIES ACT, CCSM A 30 RSM 1970. Amendments: SM 1970, c. 61; 1974, c. 59; and 1975, c. 8.

Minister of Agriculture.

Permits the formation of an agricultural society as a body corporate and sets down the laws governing its operation.

The objects of Agricultural Societies shall be the promoting of improvement in agriculture, horticulture, arboriculture, manufactures, home economics, and the useful arts.

Provision is made for the appointment of a Superintendent of Agricultural Societies to supervise all societies organized or existing under this Act. He may be assisted by an advisory board. Legislative grants may be paid to societies under conditions to be determined by the Minister, and maximum amounts are to be determined by the Lieutenant Governor in Council. Provision is also made for building grants, grants for horse racing, and building and operating grants to the the Manitoba Agricultural Museum.

AGROLOGISTS ACT, CCSM A 50 RSM 1970.

Manitoba Institute of Agrologists.

Incorporates the Institute and sets down its powers, rights, privileges, duties and requirements.

The following persons are entitled to be registered as members of the Institute and to receive a certificate of their membership: a) A graduate in agriculture of the University of Manitoba or of a University or college recognized by the Senate; b) A resident of the Province of Manitoba who, by passing the examinations set or otherwise, satisfies the council that he has the necessary qualifications.

No partnership, company, corporation, or association of persons may as such be registered as a member of the Institute. The council may refuse to register as a member of the Institute any applicant whom the council considers not to be of good character and reputation. The Act states that no person is entitled to practise Agrology unless he is a registered member in good standing of the Institute. It also lists those who are not required to be members of the Institute.

BEEKEEPERS ACT, CCSM B 20 RSM 1970. Amendment: SM 1970, c. 96, and 1974, c. 59.

Minister of Agriculture.

Incorporates the Manitoba Bee-keepers Association and establishes the rules for its operation.

The objects of the Association are: the promotion of the best methods of bee-keeping; the preparation and circulation of literature related to bee-keeping; the promotion and regulation of exhibitions in connection with bee-keeping; the holding of meetings and bee-keepers' field days; providing bee-keepers with information and advice in respect of the procuring of bees and supplies and the disposal of the products of bee-keeping; co-operation with other organizations, agencies, departments and persons interested in bee-keeping; and such further activity as may appear to be in the best interest of and within the powers of the Association.

HORTICULTURAL SOCIETY ACT, CCSM H 110 RSM 1970. Amendment: SM 1970, c. 96.

Minister of Agriculture.

Sets out the provisions under which an Horticultural Society may be organized in the Province and the duties of the Manitoba Horticultural Association.

The objects of a society are to encourage improvement in horticulture through a variety of activities. Provisions cover the Advisory Board, Board of Directors, by-laws, exhibitions, grants, officers, regulations etc. A society may receive, out of any money appropriated by the Legislature to aid Horticultural Societies, a membership grant of 50 percent of the membership fees for societies with 30 to 400 members, but not exceeding 50 cents per member, and a grant in the amount of 65 percent of the cash prizes paid by it in connection with its horticultural exhibitions and competitions.

VETERINARY MEDICAL ACT, CCSM V 30 SM 1974, c. 27.

Minister of Agriculture.

Provides for the establishment of the Association known as the Manitoba Veterinary Medical Association and for its incorporation for the purpose of establishing academic, professional, ethical and competency standards.

A person is qualified to be a member who is a graduate of Veterinary Science of a college or university accredited by the Canadian Veterinary Medical Association and recognized by the Manitoba Veterinary Medical Association; is of good character; and pays the prescribed membership fees.

The Veterinary Medical Board of Manitoba is established and the powers of the board are described. Provision is made for the employment of senior veterinary students and technicians by a registered member of the Association. The previous Veterinary Medical Association Act is repealed in the 1974 statutes.

VETERINARY SCIENCE SCHOLARSHIP FUND ACT, CCSM V 40 RSM 1970. Amendment: SM 1970, c. 51.

Minister of Agriculture.

Establishes a fund to assist deserving persons in the study of Veterinary Science. The limitation on payments to any one person is set at a maximum of \$3,000. The Minister has the power to state the terms and conditions for repayment of scholarships and has the power to cancel an obligation to repay.

WOMEN'S INSTITUTES ACT, CCSM W 180 RSM 1970. Amendment: SM 1976, c. 10.

Minister of Agriculture.

Sets out the manner of organization of Institutes and the laws governing their operation.

The objects of an institute are to stimulate an interest in the improvement of the individual home and to advance the interest of the community along all lines which lead to better living.

The Act deals with funds, membership, officers, and directors, meetings, real property and by-laws of the Institute. A Provincial Board is established to make by-laws, rules and regulations for the various institutes and to plan for the success of women's work in the province. The director has the general direction and supervision of all Institutes organized or existing under this Act; and, in the direction of the supervision thereof, he is responsible to the Minister.

III. ASSISTANCE

1. Financial

AGRICULTURAL CREDIT CORPORATION ACT, CCSM A 10 RSM 1970. Amendment: SM 1971, c.82.

Minister of Agriculture.

Establishes the Manitoba Agricultural Credit Corporation, describes the organization and finances of the corporation, and provides authority for loans and lines of credit and payments of guarantees.

The objects of the corporation are to provide credit facilities for farmers; to assist farmers in obtaining credit and to assist in the development of farms in the province.

The Corporation may make loans and provide a complete line of credit to farmers to assist the farmer a) to diversify his farming operation; or b) to carry on or improve the farming operation; or c) to relocate on new land where he will be better able to carry on a farming operation; or d) to establish or develop a farming operation that will assist other farmers in their farming operations.

The Corporation is empowered to pay to a bank or to an approved lending institution the amount of loss sustained by it as a result of a guaranteed loan. The board of directors may, with the approval of the Lieutenant Governor in Council, make regulations not inconsistent with any other provision of this Act. The powers, rights, privileges and authority of the Corporation are detailed. Regulations outlining eligibility of participants, scope of assistance and services provided and loan repayment terms are from time to time passed and amended.

The Corporation may also (1) acquire, by lease or purchase, real property required by it for its purposes; (b) acquire, by lease or purchase, real property for the purpose of assisting in the relocation of farming operations or for the purpose of assembling land to assist in the development of economic units; (c) develop any real property acquired by it for any of its purposes and erect thereon buildings and structures that the Corporation deems necessary for its purposes; (d) enter into leases or agreements with the Minister of behalf of the government, or with any other person, respecting the use and occupancy of buildings and structures of the Corporation for agricultural programs and services; and (e) sell, lease, or otherwise dispose of, any real property acquired by it.

COMMUNITY SEED CLEANING PLANT LOANS ACT, CCSM S 70 RSM 1970.

Minister of Agriculture.

Authorizes the making of loans with respect to community seed cleaning plants.

The amounts loaned may not exceed in total a) \$30,000; or b) one-half of the total cost of construction and equipping a community seed cleaning plant including the price of the land; whichever amount is the lesser. Monies advanced and interest must be repaid within a period of twelve years. The requirements for a loan are outlined.

CROP INSURANCE ACT, CCSM C 310 RSM 1970. Amendments: SM 1970, c. 30; 1971 c. 43; 1973 c. 17, and 1974, c. 19.

Minister of Agriculture.

Establishes the Manitoba Crop Insurance Corporation and provides for a Crop Insurance Fund.

The Government provides to qualified persons, who make application, insurance of their insurable crops. Working capital is provided to a maximum of two million dollars and administrative costs are provided by the Government of Manitoba less that portion which is contributed by the Government of Canada under the Crop Insurance Agreement. Presently the Crop Insurance Agreement provides that the Government of Manitoba provides for the total administrative costs. The agency shall credit to the Crop Insurance Fund the amount of all premiums received and an amount received from the Government of Canada which, in accordance with the Crop Insurance Agreement, shall be equal to the amount paid by the insured in the crop year. Re-insurance is provided by the federal and provincial governments under the terms of the Crop Insurance Agreement.

Before establishing a risk area the agency must conduct a survey of the proposed risk area and the Directors must be satisfied that at least 25 percent of the qualified persons in the proposed risk area, or persons operating at least 25 percent of the land in the area, are willing to enter into contracts with the agency.

The agency may enter into contracts for unseeded acreage insurance. If low yield or poor quality result from negligence, neglect, misconduct or poor farming practices, the insurance is not valid. Test areas may be set up for the purpose of testing innovations to the Crop Insurance Programs.

Part II of the Act makes provisions for the agency to provide hail or fire insurance, or both, to persons who hold an all-risk contract under Part I of this Act.

2. Relief and Aid

GASOLINE TAX ACT, CCSM G 40 RSM 1970. Amendments: SM 1970, c. 41; 1971, c. 82; 1974, c. 57; 1975, c. 25 and 1976, c. 67.

Minister of Finance.

Provides for the imposition of a tax on purchasers and users of gasoline, but exempts coloured gasoline for several uses.

Every purchaser of gasoline must pay a tax of 18 cents on every gallon of gas received by him, but marked or coloured gasoline used for the operation of agricultural machinery other than motor vehicles, while carrying out agricultural work on farmland or the operation of a farm truck, is exempt from this tax.

SEED AND FODDER RELIEF ACT, CCSM S 80 RSM 1970.

Minister of Agriculture.

Provides for the purchase and distribution of seed and fodder in an unorganized territory.

The Lieutenant Governor in Council may authorize the Minister to purchase seed and fodder of a kind approved by the Minister for the use of farmers and to pay the transportation and other charges thereon. The Minister has the authority to sell or refuse to sell seed or fodder. Purchasers are required to give promissory notes bearing interest not exceeding five percent per annum, payable on demand. The promissory note constitutes a first charge upon the crops grown upon the land. Upon the direction of the Minister the amount of the loan may be added to taxes and collected as taxes in arrears.

IV. CO-OPERATIVES AND CREDIT UNIONS

The Act sets forth requirements regarding formation of co-operatives, capital, membership, powers, duties and apportionment of surplus. A Registrar of Co-operative Associations may be appointed to a) assist persons desirous of becoming incorporated, b) to prepare model forms of memoranda, by-laws, and contracts for the use of a corporation; and c) to be an adviser and supervisor of co-operative corporations.

A corporation is a co-operative if no member has more than one vote; if no member, other than a corporation member, votes by proxy; and if the surplus funds are distributed among its members in proportion to the volume of business they have transacted.

CO-OPERATIVE ASSOCIATIONS LOANS AND LOANS GUARANTEE ACT, CCSM 220 SM 1971, c. 50.

Minister of Co-operative Development.

Establishes the co-operative Loans and Loans Guarantee Board.

Where a co-operative association borrows money for a period not exceeding ten years the Board may guarantee the repayment of the whole or part of the money borrowed by the association and interest thereon. The Board may also authorize the making of a loan to a co-operative association subject to such terms and conditions as the Board may see fit to impose.

CO-OPERATIVES ACT, CCSM C223, SM 1976, c. 47.

Minister of Co-operative Development.

Provides for the incorporation of co-operatives and outlines their organization, powers and operating procedures.

The approval of the Registrar of Co-operatives is required for the incorporation of new co-operatives.

The Act is divided into a number of parts that include incorporation, capacities and powers, directors and by-laws, members, and corporate finance.

CREDIT UNIONS ACT, CCSM 300 RSM 1970. Amendments: SM 1971, c. 82 and 1974, c. 31.

Minister of Co-operative Development.

Provides for a director and registrar and for the incorporation and registration of credit unions.

The Act covers the objects and powers of a credit union and deals with membership, organization, capital, loans, borrowings, liquidity, chequing, disposal of earnings, supervision and auditing. Two corporations are established: The Credit Union Stabilization Fund and le Fonds de Sécurité des Caisses Populaires. The object of each corporation is to provide a stabilization fund to protect the members of a credit union against loss, in whole or in part, of deposits, savings and share capital.

Twenty-five or more credit unions may apply to the registrar (1) for incorporation of a central credit union, or (2) for incorporation of a federation or league with or without share capital. Other parts of the Act cover amalgamation, winding-up and dissolution.

WHEAT BOARD MONEY TRUST ACT, CCSM W 120 RSM 1970. Amendment: 1976, c. 21.

Minister of Co-operative Development.

Creates a Board of trustees to administer the surplus monies of the Canadian Wheat Board, received by the Government of Manitoba from the Government of Canada.

The Co-operative Promotion Board is to use the interest from the sum of \$128,800 to encourage and develop co-operation amongst consumers, producers of natural products, and persons concerned in marketing natural products and in the organization, and to investigate laws relating to co-operative organizations.

The Board may make grants out of the fund as prizes or scholarships, as gifts in aid of agricultural co-operative research carried on by the University of Manitoba, the University of Winnipeg, the University of Brandon or other such educational institution as the Board may determine. It may also make grants to co-operative and agricultural organizations to promote the general welfare of rural residents of the province. The Minister of Agriculture is a member of the Board.

V. LAND POLICY

1. Development, Drainage, Irrigation and Conservation

FIRE PREVENTION ACT, CCSM F 80 RSM 1970. Amendments: SM 1971, c. 61; 1972, c. 81; 1973, c. 21.

Minister of Mines, Resources and Environmental Management.

Enumerates the precautions that must be taken when setting out fires in rural areas and offences under the Act.

It deals with fire guards, fire protection, the power of fire guardians and forest officers, burning permits, travel-permit areas, fire hazards and fire suppression. During the “closed season”, April to November 15, unless varied by the regulations, special precautions must be observed.

LAND ACQUISITION ACT, CCSM L40 RSM 1970. Admendment: SM 1970, c. 19; SM 1972, c. 81.

Minister of Public Works.

Respects the acquisition of land by the government and agencies of the government.

The establishment, duties and functions of the Land Acquisition Branch are outlined.

The Minister has the power to acquire land through the branch by purchase, lease, expropriation or otherwise, for the purposes of any work or programme constructed or carried on by the government. Nothing in this Act reduces or infringes upon the power or right granted under any other Act to an authority to acquire land by any means.

The Act covers acquisitions costs, acquisition of more land than required, land required by more than one authority, authority to sell buildings, costs of and possession of excess land, etc. The establishment and powers of the Land Value Appraisal Commission are described.

LAND REHABILITATION ACT, CCSM L 50 RSM 1970. Amendments: SM 1971, c. 82; SM 1972, c. 5.

Minister of Agriculture.

Provides for the rehabilitation or development of agricultural areas in the province.

A municipality is given power to secure the rehabilitation or development of an agricultural area within the municipality, and to develop within that area systems of farm practice, tree culture, water supply, land utilization, and land settlement, that will afford greater economic security. The powers of the Lieutenant Governor in Council to arrange for rehabilitation and development are stated, as are the specific powers of the Government of Manitoba.

The Municipality may, by by-law, provide for the regulation and control of farming practices, that, in opinion of the Council, are liable to cause rapid soil deterioration by wind erosion. Contents of the by-law are enumerated.

MANITOBA WATER SERVICES BOARD ACT, CCSM W 90 RSM 1970. Admendment: SM 1972, c. 72; 1973, c. 25.

Minister of Agriculture.

Facilitates the development and transmission of water supplies for the domestic use of the people of the province.

Objectives of the Manitoba Water Services Board are (a) to obtain, develop, transmit, distribute and control water supplies, and (b) to collect, treat and dispose of sewage. The powers of the Board are set out and rules of expropriation are laid down. A municipality or water district may make an application to the Board for assistance in developing a water or sewage system. The Board will establish estimated costs and conditions for providing water or sewage services, after processing the information provided with the application. Rates and prices are fixed by the Board for providing water and sewer services.

RESOURCE CONSERVATION DISTRICTS ACT, CCSM R 135. Amendment: SM 1971, c. 82.

Minister of Mines, Resources and Environmental Management.

Establishes the Resources Conservation Commission and authorizes the establishment of resource conservation districts and, in respect of each district, a board.

The aims and objects of the boards of the districts are to promote the conservation and control of the use of the resource within the district. For that purpose it must study, undertake, put into effect, operate or maintain a scheme for the purpose of conserving, controlling, developing, protecting, restoring or using a) the land and soil within the district; b) the forest, wildlife, and recreational resources within the district; as may be necessary to the achievements of those aims and objects.

General powers of the board include 1) developing systems of farm practice, tree culture, and land utilization; 2) developing local farm or local water supplies; 3) retiring land to permanent or temporary forage cover; and 4) adopting practices to prevent soil deterioration.

2. Tenure

BOUNDARY LINES AND LINE FENCES ACT, CCSM B 70 RSM 1970. Amendment: SM 1974, c. 59.

Administered by the Courts.

Establishes regulations respecting boundary surveys, liability of adjoining owners in erecting line fences, and the settlement of disputes over boundary lines.

And an adjoining owner who benefits from a fence is required to pay a just proportion of the value and expense. No lawful boundary or line fence may be removed without the consent of all interested parties.

DOWER ACT, CCSM D 100, R.S.M. 1970.

Administered by the Courts.

An Act respecting the dower of married persons.

Any disposition of any interest in the homestead (320 acres) by a married man during his lifetime is invalid unless the wife consents to it in writing or has released her rights in the homestead to her husband. The rights of a married woman under this Act in respect of a homestead do not apply to more than one homestead at any one time. To be effectual, the written consent of a wife to disposition or change of home must be filed in the proper land titles office or registry office. A wife may in writing release her rights in the homestead in favour of her husband. If the wife is the owner of the homestead, then upon her death her husband is entitled to a life estate in the homestead as well as his customary dower rights.

EXPROPRIATION ACT, CCSM E 190, SM 1970. Amendments: SM 1971, c. 79; 1972, c. 29.

Attorney General.

An Act respecting the acquisition of title to land without the consent of the owner.

This Act applies whenever an authority expropriates land or, in the exercise of its lawful powers, causes the injurious affection of land, and due compensation must be determined in accordance with the provisions of this Act. Where there is a conflict between the provision of this Act and a provision of any other general or special Act, the provision of this Act prevails.

Any person aggrieved by an expropriation of land may, within six weeks after the date on which the order confirming the declaration of the expropriation is published, apply to the court to quash the declaration of expropriation. Other provisions of this Act cover procedures, compensation, possession and the adjudication of claims.

LANDLORD AND TENANT ACT, CCSM L 70, RSM 1970. Amendments: SM 1970, c. 106; 1971, c. 35; 1972, c. 39; 1974, c. 59; 1975, c. 37; V 1976, c. 69.

Minister of Consumer, Corporate and Internal Services.

Prohibits distress for arrears or rent in the case of farm property.

The effect of amendments in Sections 80 and 81 has been to limit the landlord's right to distrain to non-farm properties.

A person having rent due and in arrear upon any demise, lease or contract, may seize any grain, straw, hay, cattle or livestock on any part of the land charged for rent, and if rent is not paid, may remove and sell it. Notice of this should be given to the tenant within one week of seizure of goods.

Conditions of sale of standing crops distrained for rent are described. Goods exempt from seizure are listed.

MANITOBA TELEPHONE ACT, CCSM T 40, RSM 1970. Amendments: SM 1971, c. 82; SM 1975, c. 26.

Minister of Consumer, Corporate and Internal Services.

Provides the authority under which the Manitoba Telephone Commission may enter upon land and expropriate.

The Commission may enter upon any land for the purpose of removing trees, branches or other obstructions that interfere with the proper operation of lines.

Compensation is payable under provisions of the Expropriation Act. Agents or employees of the Commission may enter on the land or into the building of any subscriber or other person to inspect, repair, or remove any telephone or telephone appliance or equipment on any property of the Commission, on the land or in the building.

WILDLIFE ACT, CCSM W 140, RSM 1970. Amendments: SM 1970, c. 89; 1972, c. 81.

Minister of Mines, Resources and Environmental Management.

Sections relating to agriculture are those concerned with hunting, compensation and licensing.

A farmer may, on land which he occupies as part of his farm, hunt and kill any game bird on that land without a licence to hunt, if in all other respects he is complying with the provisions of this Act and the regulations. Hunting is forbidden on posted lands without the consent of the owner or lawful occupant. On the recommendation of the Minister, the Minister of Finance may pay compensation for livestock killed by accident.

VI. LEGAL RESTRAINTS

1. General

EXECUTIONS ACT, CCSM E 160, RSM 1970. Amendments: SM 1970, c. 5; and 1971, c. 56.

Administered by the Courts.

Exempts certain property and goods from seizure.

The following personal estate of a farmer is declared free from seizure by virtue of all writs of execution: necessary food for the judgement debtor and his family during 11 months; four horses if used in earning his living, six cows, one bull, ten sheep, ten pigs and 100 fowl, and food for those animals during 11 months. Also one tractor, one combine, and one motor vehicle that has been used by

the debtor for not less than one year; tools and agricultural implements used by the debtor in his occupation to the value of \$2,500; and all the seeds or roots necessary for the seeding and cultivation of 160 acres.

No sale of any farm or garden crops may take place until after crops have been harvested.

2. Crops

BILLS OF SALE ACT, CCSM B 40 RSM 1970. Amendments: SM 1972, c. 81; 1973 c. 7; 1974, c. 59; 1975, c. 42; 1976, c. 69.

Administered by the Courts.

Section 29 concerns application of this Act to mortgages on growing crops.

Every mortgage insofar as it purports to bind, comprise, apply to or affect any growing crop or crop to be grown in the future, is absolutely void unless it is made or created as a security for the purchase price of seed-grain, with or without interest thereon. A seed-grain mortgage is governed by this Act and the affidavit of bona fides of the mortgagee or his agent must contain a further statement that the mortgage is taken to secure the purchase price of seed-grain.

A registered bill of sale evidencing a seed-grain mortgage is not affected by, or subject to, any bill of sale previously given by the grantor, any landlords' claim for rent, or any claim of a mortgagee of that land; but the bill of sale is a first and preferential security for the sum therein mentioned, upon the crop covered, thereby against any and every other claim, security, or process to which the crop might otherwise be liable.

CROP PAYMENTS ACT, CCSM C. 320, RSM 1970.

Administered by the Courts.

An Act respecting agreement for payment to vendors, lessors and others by shares of crops or proceeds thereof.

A landlord, vendor or mortgagee who is made a bona fide in the lease, tenancy or agreement of sale on a crop share basis has a prior claim to a share of the crop above all other claims, except that given to seed-grain mortgages by the Bills of Sale Act, or the preferential lien upon crops given to a municipality for amounts advanced for the purchase of seed-grain, or to the provincial government for amounts advanced for the purchase of seed-grain.

MORTGAGE ACT, CCSM M 200, RSM 1970. Amendment: SM 1972, c. 28.

Administered by the Courts.

Seed-grain advances are dealt with under section 13 of this Act.

A mortgagee of land may make advances of money to the owner of the land for the purchase of seed-grain and these advances may be added to the principal sum of the mortgage. A chattel mortgage can be taken on crops to secure seed advances. Such chattel mortgage is within the Bills of Sale Act and is as valid, and has the same priority, as seed-grain mortgages thereunder. Advances of seed-grain by vendors and security on crops are also covered. None of the provisions of the Dower Act apply to security provided for in this Act. In the event of default the mortgagee or vendor has the right to take possession of crops or grain. The penalty for misapplying seed-grain advances is specified.

THRESHERS' LIENS ACT, CCSM T 60, RSM 1970.

Administered by the Courts.

Provides for giving threshers a lien in certain cases.

Where a thresher harvests grain for a farmer at a fixed price or remuneration, the thresher may retain a quantity of the grain for the purpose of securing payment of the price or remuneration.

The quantity that may be retained is specified. Seed-grain advances take priority over a claim by a thresher who asserts the right of retention. If, at the expiration of five days from the giving of notice in writing to the farmer that the right of retention is asserted, the price or remuneration for threshing is not paid to the thresher or into court, the thresher may sell the grain at a fair market price. The thresher must sell the grain within 60 days unless the owner consents in writing to the grain being held unsold for a longer time. Within 15 days after the sale of the grain the thresher must render to the farmer a statement accounting for the sale. The liability of the farmer for wages, fuel, and repairs in connection with the threshing of this grain is specified.

3. Livestock

CLEAN ENVIRONMENT ACT, CCSM C. 130 SM 1972. Amendments: SM 1974, c. 41; 1975, c. 42; and 1976, c. 17.

Minister of Mines, Resources and Environmental Management.

An Act relating to the preservation and improvement of the environment and the prevention and control of its contamination.

Regulations made under, and in accordance with, the authority granted by this Act affect agriculture. The Lieutenant Governor in Council may pass regulations respecting the concentration and housing of livestock; respecting the use of pesticides or any other product or substance that may contaminate the environment; and respecting the protection of food and water, and the contamination of food and water in excess of prescribed limits.

It is illegal to permit the contamination of soil or water in excess of prescribed limits.

STABLE KEEPERS ACT, CCSM S 200 RSM 1970.

An Act respecting keepers of livery, boarding, and sale stables. Keepers of stables may have liens on animals detain animals, harness, etc., for board. Animals, etc, detained may be sold after one month and the person detaining them may cause them to be sold by public auction, and after paying himself and the costs of sale, he shall pay over to the owner of the animals and effects the balance, if any, of the price thereof.

HORSE RACING REGULATION ACT, CCSM H 100 RSM 1970. Amendment: SM 1975, c. 17.

Minister of Agriculture.

An Act for the regulation of horse racing.

Notice of intention to hold a horse race meeting or horse racing at any race-course or track in Manitoba must be given in writing to the Minister of Agriculture by the person, association or corporation proposing to hold it. The notice must be given between the first day of January and the first day of March in the year in which it is to be held. In any municipality, horse race meetings or horse racing may be held at one, but not more than one, race-course or track in each calendar year. The procedure where there is more than one track in a municipality is described. This Act does not apply to a horse race meeting or horse racing held or conducted by an agricultural society within the meaning of the Agricultural Societies Act at any fair or exhibition held by any such society or to the racing of horses for the purpose of training at places where the public is not admitted while the racing is being conducted.

NUISANCE ACT, CCSM N120 SM 1976, c. 53.

Minister of Mines, Resources and Environmental Management.

Protects farmers from being legally charged for odors emanating from their farms.

The Act provides for the removal of any legal action based on nuisance for any odor resulting from a farm, providing the farmer has adhered to all municipal, provincial and federal laws such as land-use control laws, The Public Health Act, The Clean Environment Act and any other legislation.

4. Machinery

FARM MACHINERY AND EQUIPMENT ACT, CCSM F 40 SM 1971, c. 83. Amendments: 1972 c. 71; 1974, c. 28 and c. 59; 1975, c. 42; and 1976, c. 9.

Minister of Agriculture.

Establishes the Farm Machinery and Equipment Board and the Farm Machinery and Equipment Act Fund and applies to the sale of new machinery and equipment and availability of repair parts.

Vendor, dealer, purchaser and board responsibilities are covered in this Act. Repair parts on new machinery and equipment are to be made available for a period of ten years from date of purchase and within 14 days (not including Saturdays, Sundays and public holidays) from date of order unless delivery cannot be made because of conditions beyond the control of the vendor or dealer.

Every contract must state the trial period and include a provision to enable the purchaser to order emergency repair parts between 8:00 in the morning and 10:00 in the evening (except Sunday) during the season of use. The purchaser must notify the dealer that the parts are required for emergency repairs. Time for supplying emergency repairs is set at 72 hours, excluding Saturday, Sunday and holidays. For delay in delivery (with certain exceptions) the dealer or vendor must pay to the purchaser one-half the normal rental rate for the time the farm machinery would normally be used.

The payment for delay in delivering repair parts and the alternative to payment are stated. The procedures to be followed and alternatives are enumerated. The conditions under which the purchaser can reject the machinery or equipment or cancel the contract are described, as are warranty requirements, liability under warranty, and limitation on warranty.

Farm machinery and equipment specified in the regulations and manufactured on or after January 1, 1977, may not be sold unless imprinted with the model year or date of manufacture.

Collateral liens are prohibited. All lien holders must apply to the Board for leave to repossess. Matters to be considered by the Board and Board responsibilities in cases of re-possession and sale are detailed. The responsibilities of the lien holder and the purchaser are also described.

Where a dealer sells used farm machinery and equipment, the sections of the Act dealing with repossession and sale, and assignment of earnings, apply to used farm machinery and equipment, as well as to new farm machinery and equipment.

No person shall carry on a business selling used farm machinery and equipment and repair parts unless he is licensed by the Board. Conditions and fees are listed.

HIGHWAY TRAFFIC ACT, CCSM H 60 RSM 1970. Amendments: SM 1970, c. 12 and c. 70; 1971, c. 24 and c. 71; 1972, c. 79; and 1974, cc.'s 20 and 61; 1975, c. 42; and 1976, cc.'s 26, 62 and 69.

Minister of Highways.

Contains provisions respecting the following: farm trucks, farm cars, farm tractors, farm trailers, implements of husbandry, special mobile machines, and warning devices.

It is illegal for a person under 16 years of age to drive any of the above mentioned vehicles or implements on a highway. Trucks transporting livestock must have partitions adequate to separate types and sizes of livestock. Livestock trucks must be cleaned. Cattle on highways are prohibited. Lights are required on tractors and trailers on a highway at night, or when visibility is poor. Implements of husbandry or any vehicle traveling on a highway at a speed less than 20 miles per hour must display an approved reflectorized warning device or be equipped with a flashing amber lamp with the light visible from the rear.

VII. MARKETING

1. General

NATURAL PRODUCTS MARKETING ACT, CCSM N 20 RSM 1970. Amendments: SM 1971, c. 67, c. 77 and c. 82; 1972 c. 77.

Minister of Agriculture.

Contains provisions respecting the transportation, storage, selling, and marketing of natural products by producers.

The Manitoba Marketing Board is continued as a body politic and corporate. The duties and functions of the board are described. These include advising the Minister of Agriculture and the Minister of Mines, Resources and Environmental Management on all matters of Producer Boards and Marketing Commissions. It may conduct votes, elections, and referendums on plans and the establishment of producer boards or marketing commissions as may be required by the ministers or by the regulations.

The Manitoba Board may impose on and collect from any producer board or marketing commission a fee or charge to cover expenses. Any person affected by a decision, directive or order made or given by a producer board or marketing commission may appeal to the Manitoba Board.

The Lieutenant Governor in Council may provide for the establishment of a producer board to administer, under the supervision of the Manitoba Board, regulations respecting the marketing of a regulated product. Cooperation with extra-provincial boards or a marketing commission in the marketing of the regulated product is permitted. All costs incurred by a producer board are to be paid by monies raised by the producer board by fees or charges imposed on producers.

The Act also authorizes the establishment of marketing commissions, and the Milk Control Board may be appointed as a commission. Subject to the Act and the regulations, a marketing commission may make rules governing its procedure. All costs incurred by a marketing commission must be paid from monies raised by fees or charges imposed on producers.

Producer boards and marketing commissions may also make regulations with respect to specified matters but the Lieutenant Governor in Council may revoke the board's regulations. The Act also authorizes the appointment of inspectors, and their powers are outlined. The power of the Manitoba Board under any Federal Act is described. An Addendum contains provisions affecting producer boards or marketing commissions in existence on July 20, 1972.

PUBLIC HEALTH ACT, CCSM P 210 RSM 1970. Amendments: SM 1974, c.59; 1975, c.42; and 1976, cc.'s 57 and 69.

Minister of Health and Social Development.

The Lieutenant Governor in Council is empowered to make regulations respecting 1) the inspection and regulation of the production, processing, distribution, and sale of milk and milk products; the health of persons employed in the premises where milk or milk products are processed; and sampling testing, and certification of milk and milk products; 2) the testing of livestock and poultry for diseases communicable to man; 3) the inspection and sanitation of premises where animals are slaughtered for human food, and of premises in which food or food products are prepared, processed or packed for sale for human consumption.

2. Crops

COARSE GRAIN MARKETING CONTROL ACT, CCSM C 140 RSM 1970.

Minister of Agriculture.

Provides for the regulation of the marketing of coarse grain locally within the province.

Except as permitted by the regulations no producer may sell coarse grain situated in Manitoba to any person other than the Canadian Wheat Board; and no person may purchase coarse grain for delivery within the province, unless purchased on account of the Board. There are two exceptions: 1) a producer or an owner of livestock or poultry may purchase or agree to purchase coarse grain situated in Manitoba either for delivery within the province or for his own use; 2) a producer may sell coarse grain situated in Manitoba for delivery to a producer or to an owner of livestock within the province.

FRUIT AND VEGETABLE SALES ACT, CCSM F 180 RSM 1970.

Minister of Agriculture.

An Act respecting the grading and sale of fruit and vegetables.

The Act authorizes the Lieutenant Governor in Council to make the necessary regulations and the Minister to appoint the necessary inspectors. The powers of the inspectors are detailed. Any produce detained by an inspector is at the owner's risk. It is illegal to obstruct any inspector or refuse to permit any produce to be inspected, or to give to any inspector a false name or address or other false information. Offences and penalties are outlined. The kinds of produce covered are listed in schedule A and B.

3. Livestock

DAIRY ACT, CCSM D 10 RSM 1970.

Minister of Agriculture.

Provides for the control, regulation, etc. of dairy manufacturing plants.

All dairy manufacturing plants require permits and all operators must be licensed to perform or supervise the testing of milk, the grading and testing of cream, or the manufacturing of cheese and butter. There is provision for the appointment of the inspectors, and the duties and rights of directors and inspectors are described. A permit is not granted until a board certifies to the Minister that the proposed plant is desirable, having regard to the volume of production, marketing facilities and such other factors as may affect the development of the dairy industry in the district to be served by the proposed plant.

Authorization to operate a dairy manufacturing plant is required each year. The Minister may cancel and suspend permits. The Act sets down what milk may be sold and what milk products may not be sold. Storage of dairy products with certain other articles is prohibited. The bases for payment on milk or cream are specified.

No person may sell or supply adulterated milk to a dairy manufacturing plant. The following are prohibited: 1) sale of illegal dairy products; 2) misleading advertisements; 3) use of unauthorized grade names; 4) sale of imitation dairy products (generally); 5) advertising milk, cream or cheese unless the food substance is a dairy product.

LIVESTOCK AND LIVESTOCK PRODUCTS ACT, CCSM L 170 RSM 1970. Amendment: SM 1974, c. 59.

Minister of Agriculture.

Regulates livestock and livestock products transactions that take place wholly within the province.

The Act provides authority for regulations governing such things as standards, grades, guarantees of payment to producers, transaction records, etc. Authority is given for the appointment of inspectors to carry out, administer and enforce this Act. Entry and search rights of the inspectors are described.

It is illegal to obstruct or attempt to obstruct an inspector in the exercise of any of his powers. Inspection of motor trucks and trailers is permitted. No person shall fail to stop his truck on demand by an inspector. The prohibitions and exceptions concerning marking and branding of meat are detailed.

MARGARINE ACT, CCSM M 30 RSM 1970. Amendment: SM 1974, c. 10.

Minister of Agriculture.

Provides for the control of the manufacture and sale of margarine.

The conditions for sale, etc. of margarine are specified. Any margarine sold in Manitoba must contain not less than 80 percent of fat, unless the margarine contains less than 40 percent of fat and is labelled diet margarine or diet spread. The use of misleading

advertising is prohibited. Butter and margarine are not to be mixed for sale or for use in a public eating place. Licenses are required to manufacture margarine or to sell it wholesale.

MILK CONTROL ACT, CCSM M130 SM 1976, c. 61.

Minister of Agriculture.

Controls the supplying, distributing, processing and selling of fluid Milk.

The Milk Control Board of Manitoba is continued as a body corporate and politic. The duties and powers of the board are stated.

The Board may establish schedules of maximum and minimum prices at which fluid milk may be sold. It may also establish maximum and minimum prices at which milk to be processed for fluid milk may be sold by a producer, or by a producers' marketing board to a processor.

The Board issues licenses to persons carrying on the business of supplying, distributing, processing or selling milk for human consumption, and it requires such persons to keep certain records and to furnish certain information.

Regulations under the Act provide for the board to prescribe the manner and conditions of the processing, purchasing, storing, handling, transporting, delivering, keeping for sale selling and distribution of fluid milk and milk to be processed for fluid milk. Provision is also made for inspection and testing of milk and dairy products.

VIII. PRODUCTION

1. General

AGRICULTURAL PRODUCTIVITY COUNCIL ACT, CCSM A 20 RSM 1970.

Minister of Agriculture.

Establishes the Agricultural Productivity Council as an advisory agent of the government to further development of the agricultural industry of Manitoba.

The specific objectives include: a) definition of goals and objectives and the means of achieving them; b) consideration of obstacles and the development of means of overcoming them; c) examination of the factors affecting the cost of production and productivity and competitive ability of the agricultural industry of Manitoba; d) analysis and development of ideas and proposals calculated to benefit the industry; e) examination and development of the means available to achieve the further development of the industry.

PESTICIDES AND FERTILIZERS CONTROL ACT, CCSM P40, SM 1976, c. 19. (To be proclaimed shortly)

Minister of Agriculture.

Controls the sale and use of pesticides and fertilizers.

No person shall sell, offer for sale or distribute or keep for sale or distribution any pesticide or fertilizer unless he has a license. No person shall act as a commercial applicator unless he has a license.

The Minister may cause the destruction of any plant or plant products, livestock or livestock product or any other material that has been subjected to scientific or chemical analysis and found to be contaminated with pesticides or fertilizers to a degree considered by the Minister to be harmful or injurious to the health of a person or livestock.

The Minister is authorized to appoint inspectors for the purpose of carrying out the intent of this Act.

2. Crops

NOXIOUS WEEDS ACT, CCSM N 110 RSM 1970.

Minister of Agriculture.

Provides for weed control districts, weed control boards and inspectors to control, supervise and manage a program of control and destruction of noxious weeds.

It is the general duty of persons in control of or in charge of land to destroy weeds as often as may be necessary to prevent the growth, ripening and scattering of weeds or weed seeds. Harvesting machines along with wagons, trucks and other equipment used in harvesting must be cleaned before travelling upon any public roadway. A custom harvester must keep a copy of this section of the Act affixed to his machines. The duties respecting cleaning of farm machines, inspection of farm machines, and respecting elevators, mills and public places are specified. The powers of the inspectors are enumerated.

A noxious weed inspector by written notice may require the destruction or control of noxious weeds. He has the right to enter upon land and to inspect crops, machinery and equipment. Where any land has been declared to be a weed-infested area, the municipality has the power to enter on land and eradicate weeds. An inspector may without notice cut down a growing crop under 3 acres in any quarter section to control noxious weeds. For areas over 3 acres, the Act sets down the procedures to be followed. A schedule of noxious weeds is listed.

PLANT PESTS AND DISEASES ACT, CCSM P 90 RSM 1970.

Minister of Agriculture.

Provides for the control of plant pests and plant diseases.

Keeping, selling, etc., of any diseased or infested plant or seed is forbidden under the Act. All persons owning, operating, leasing, or managing any orchard or collection of plants or seeds or both, other than a nursery, must destroy diseased plants. Nurseries must be registered with the Minister and are to be inspected annually, and a Certificate of Inspection given when the situation meets the requirements of the Act and regulations.

The Act also outlines procedures to be followed if Dutch Elm disease is diagnosed, the responsibilities of the Departments of Agriculture and Municipal Affairs, as well as licensing of custom tree pruners. The latter is handled by the Advisory Committee on Tree Protection.

3. Livestock

ANIMAL DISEASES ACT, CCSM A 85 SM 1974, c. 52. Amendment: SM 1975, c. 42

Minister of Agriculture.

Provides for the prevention and control of infectious and contagious diseases.

Every person having custody of any animal which appears to be suffering from a disease must notify the nearest veterinarian or inspector of his suspicion. The veterinarian must in turn notify the Director of Veterinary Services of the Department. The director has the power to order examination, quarantine, treatment or destruction of diseased animals. The powers of inspectors are outlined. Authority is given to use inspectors of the Department of Agriculture of Canada to be inspectors under this Act.

Where a place is declared to be an infected place, no person may remove from or bring into the infected place any animals, any animal products, manure or hay-straw litter or other things commonly used for and about animals without a permit signed by an inspector. The place or vehicle which contains an animal having an infectious or contagious disease must be cleansed and disinfected as directed by the inspector. The disposal of dead livestock must be in compliance with the provisions of the Clean Environment Act and its regulations.

A permit is required for livestock yard, buyers and agents and a permit is required to sell veterinary drugs.

The Minister may make grants to a person, corporation or municipality designated by the Minister, for the purpose of establishing or assisting in establishing of programs for the prevention and control of animal diseases, the provision of veterinary services and the training of veterinary students.

ANIMAL HUSBANDRY ACT, CCSM A 90 RSM 1970. Amendments: SM 1970, c. 49, c. 50 and c. 96; 1971, c. 89; 1974, c. 62; 1975, c. 42; and 1976, cc.'s 12 and 69.

Minister of Agriculture.

An Act respecting the following: stray animals, protection of animals against dogs, brands, injured or ill-treated or abandoned animals, government purchase and sale of livestock, and artificial insemination.

Restrictions upon animals running at large are the subject of Part I. Stallions, bulls, boars and animals suffering from any contagious or infectious disease are not permitted to run at large. The Act provides authority for impounding in municipalities and in local government districts. The duties of the finders of stray animals are specified and procedures are described.

Where a person is convicted of unlawful possession of cattle, swine, goats, sheep or horses, any vehicle used by a person in the commission of the offense or in transporting the animals is confiscated and becomes a property of the Crown in the right of Manitoba, to be disposed of as the Minister may direct.

Permits for animals to run at large in certain unorganized territory may be granted by the Lieutenant Governor in Council. The duties of drovers and traders are described.

Part II deals with the protection of animals against mischievous dogs. No person may permit a sleigh dog to run at large at any time anywhere in unorganized territory. A person who takes custody of a dog running at large must deliver it to a peace officer or to an authorized judicial officer. Any person may kill a dog that he sees pursuing or wounding any sheep or turkeys. The owner of sheep or turkeys killed or injured by a dog is entitled to recover damages not exceeding \$50 from the owner of the dog under the 'Small Debts Recovery Act'. The municipal liability for sheep killed and the procedures to be followed are enumerated.

Part III covers registration, transfer and cancellation of brands and registration of vents. Part IV covers ill-treated, abandoned and injured animals. A constable or police officer may take possession of an ill-treated or neglected animal in any place for the purpose of having it examined by a veterinary surgeon. Its owner is liable for its food, care and treatment while it is detained.

Part V deals with improvement of livestock breeding. At the request of a municipality, with the approval of two-thirds of the resident livestock owners therein, the Minister may recommend that a municipality be constituted as an 'improved sire area' and the Lieutenant Governor in Council may order accordingly. Any sire used for breeding purposes must be an improved sire. Any person in an improved sire area who is in possession of a stallion over 2 years of age or a bull, ram or boar over 6 months of age that is not an improved sire, must dispose of it within six months after the date of the inspection thereof.

For the purpose of increasing and improving the livestock of the province, the Minister may purchase or raise livestock and sell or let it for hire, subject to such terms and conditions as he prescribes, to bona fide farmers actually resident upon farms in the province. Male animals sold must be purebred and registered and all cattle must pass the tuberculin test and be branded.

Part IX covers the artificial insemination of animals which is under the administration of the Director of the Veterinary Services Branch of the Department of Agriculture. No person shall carry on or operate a semen-producing business or act as an agency thereof unless he has a license issued by the director. No person shall act as a technician unless he holds a license issued by the director. An elected Artificial Insemination Board is established to advise the Minister on all aspects pertaining to the artificial insemination of livestock.

BEE ACT, CCSM B 15 SM 1970, c. 49.

Minister of Agriculture.

Provides for the control of bee diseases.

A beekeeper must be registered with the extension apiarist. The certificate of registration is valid until it is suspended or cancelled. When a beekeeper has been notified that a disease exists he must not a) sell any bees or beekeeping equipment; b) move any bees or beekeeping equipment from the premises; c) leave any honey or beekeeping equipment exposed where bees can gain access to it.

No bees or beekeeping equipment may be brought into the province unless the extension apiarist is provided with a satisfactory certificate issued by the place of origin.

The Act provides for appointment of inspectors who may inspect any bees or equipment for the presence of disease. The powers of the inspectors are described. Where a person fails to comply with an order for destruction, the Minister may cause the bees or beekeeping equipment or both to be destroyed or the disease eradicated at the expense of the beekeeper.

HORNED CATTLE PURCHASES ACT, CCSM H 80 RSM 1970.

Minister of Agriculture.

An Act respecting the disposition of deductions made on the purchase of cattle with horns.

Until the suspension is lifted by an order of the Lieutenant Governor in Council or an Act of the legislature, there is in effect a suspension of the provisions of this Act that require deductions by dealers upon the purchase of cattle with horns and the filing of monthly returns with the Minister by dealers.

The provisions for a special trust fund for improving the cattle industry and for the advisory board remain, as do the provisions governing inspectors and the making of regulations.

VETERINARY SERVICES ACT, CCSM V 50 RSM 1970. Amendments: SM 1970, c. 52, 1971, c. 54 and 1974, c. 12

Minister of Agriculture.

An Act respecting veterinary services in rural areas in Manitoba.

The Veterinary Services Commission is established. With its approval, the council of a municipality may establish a veterinary services district or make an agreement with other municipalities to establish a joint veterinary services district. The Veterinary Services Board appointed under the authority of this Act is incorporated. The objects and duties of the Board are specified.

For the purpose of encouraging a veterinarian or a veterinary partnership to practice in a district, the board of the district may enter into an agreement whereby the board will pay to the veterinarian or the partnership during each 12 months of the term of the agreement, the sum stated in the agreement, which must not be less than \$7,000. To each board the province may make a grant equal to the municipal amount, provided that the grant does not exceed \$5,000 per veterinarian. In addition, the province may make a grant to establish animal hospital facilities. Authority for the making of regulations is provided.

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SASKATCHEWAN

1. ADMINISTRATION

DEPARTMENT OF AGRICULTURE ACT, R.S.S. 1965, c. 23. Amendments: 1969, c. 13; 1971, c. 6; 1972, c. 26; 1973, c. 25; 1973-74, c. 21

Minister of Agriculture.

Provides for the Appointment of a Minister of Agriculture, prescribes his duties and outlines his powers.

The Department of Agriculture is established by this Act. The Minister's specific duties are to administer acts concerning agriculture; to promote the agricultural interests of the province; to encourage the production and facilitate the marketing of crops, livestock and livestock products; to promote co-operation among agriculturists; to collect facts and statistics relating to agriculture; and to publish reports, statistics and circulars. He has power to provide such services as he considers necessary or advisable to persons for the purpose of improving the agricultural industry in the province and to assist persons engaged in the industry.

The province may make advances, the net amount of which shall not at any one time exceed \$6 million, to the department to purchase agricultural supplies for distribution and sale to farmers, rural municipalities and organizations for use in agricultural operations.

DEPARTMENT OF TOURISM AND RENEWABLE RESOURCES ACT, 1974, S.S. 1973-74, c. 31 Amendments: 1974-75, c. 49; 1976, c. 14

Minister of Tourism and Renewable Resources.

Provides for a Department of Tourism and Renewable Resources and for a Minister to preside over it.

The Department is charged with the administration of The Forest Act, The Fisheries Act, The Game Act, 1967, The Fur Act, The Prairie and Forest Fires Act and other designated Acts. The Minister is authorized to do such things as he deems necessary to conserve, develop, manage and utilize the renewable resources of the province in fish, fur, game and other wildlife, forests, lands and water.

LOCAL IMPROVEMENT DISTRICTS ACT, R.S.S. 1965, c. 151. Amendments: 1966, c. 48; 1967, c. 27; 1968, c. 45; 1969, c. 32; 1971, c. 27; 1972, c. 69; 1974-75, c. 25.

Minister of Municipal Affairs.

The relevant sections of this Act relate to agricultural assistance and taxation in improvement districts.

The Minister is empowered to organize local improvement districts, to make temporary loans on behalf of any district, and to direct the expenditure of district funds. He may provide for the purchase and sale of seed grain and supplies to needy farmers. Provision is made for assessment and taxation, including the hearing of appeals. Taxes are a special lien on all land and on all crops grown on the land each year until they are paid.

PROVINCIAL LANDS ACT, R.S.S. 1965, c. 48. Amendments: 1971, c. 39; 1973, c. 77; 1973-74, c. 82

Minister of Agriculture.

The Minister of Agriculture administers the provincial lands covered by the Act. This includes their sale and lease for agricultural and other purposes.

Provincial lands lying outside provincial forests, parks and protected areas are to be administered by the Department of Agriculture. The Act describes the methods whereby these lands may be sold or leased and the reservations to the Crown of such matters as road rights, water rights, mineral rights and timber rights. It also describes the methods by which rents and royalties may be recovered and lands repossessed by the province.

RURAL MUNICIPALITY ACT, 1972, S.S. 1972, c. 101. Amendments: 1973, c. 84; 1973-74, c. 77; 1973-74, c. 93; 1974-75, c. 41; 1974-75, c. 42

Minister of Municipal Affairs.

The pertinent sections of this Act include the powers of municipal councils to assess and tax farmland and to pass certain bylaws affecting agriculture. Examples are given below.

This Act empowers municipal councils to pass bylaws for such agricultural purposes as cleaning grain; drainage, water storage and water control projects; extermination of insects harmful to agriculture; and the extermination of certain animals and birds, etc., designated by council and not protected by law. Councils have powers to purchase and sell or distribute chemicals; to provide for the distribution of seed grain and supplies from municipal funds; and to authorize the purchase of seed grain or supplies feed grain or fodder or all or any of such commodities for resale for cash.

Taxes are a special lien or charge upon all crops grown on the land in each year until they are paid.

II. AGRICULTURAL SOCIETIES AND EDUCATION

AGRICULTURAL SOCIETIES ACT, 1966, S.S. 1966, c. 24. Amendments: 1970, c. 3; 1972, c. 2.

Minister of Agriculture.

Covers the formation, organization and operation of agricultural societies.

The objectives of an agricultural society are to encourage improvement in agriculture, horticulture, arboriculture, homemaking, manufactures and the useful arts and to promote educational activities and programs of physical fitness and recreation in the district.

The Act covers the organization and operation of agricultural societies. They may receive provincial grants in aid. Exhibitions may be held. Agricultural societies and associations are given powers to hold horse race-meetings that may have a pari-mutuel system of betting.

AGROLOGISTS ACT, R.S.S. 1965, c. 328. Amendment: 1968, c. 3.

Minister of Agriculture.

Creates the Saskatchewan Institute of Agrologists. Its organization and powers are given.

The objectives of the Institute are stated and the organization, membership requirements, examinations, registration, and disciplinary powers of the Institute are outlined.

No person may practise agrology or assume the title of agrologist unless he is registered under this Act.

HORTICULTURAL SOCIETIES ACT, R.S.S. 1965, c. 220.

Minister of Agriculture.

Outlines the methods by which Horticultural Societies may be organized and operated.

The objects of a society are to encourage improvement in horticulture by holding meetings for discussion and lectures on subjects connected with the theory and practice of horticulture; holding exhibitions; distributing seeds, plants, bulbs, trees and shrubs; circulating horticultural periodicals; and promoting outdoor art and public beauty. A society may receive grants from the province.

SASKATCHEWAN 4-H FOUNDATION ACT, R.S.S. 1965, c. 225.

Minister of Agriculture.

Incorporates the Saskatchewan 4-H Foundation for the purpose of promoting the education and training of farm boys and girls through local 4-H clubs.

The foundation will be governed and managed by its trustees; the Dean of the College of Agriculture of the University of Saskatchewan; the Deputy Minister of Agriculture; and the president, vice-president and treasurer of the Saskatchewan 4-H Council.

The objectives of the foundation shall be to solicit, receive and hold by gift, devise or transfer or otherwise, property for any object or purpose of the council; to invest and reinvest any funds of the foundation; and to apply any property of the foundation or the income therefrom to the making of such payments or grants to the council or other persons or organizations as a majority of trustees believe to be in the interests of the 4-H program in Saskatchewan. The property vested in the foundation shall be exempt from every description of taxation.

VETERINARIANS ACT, R.S.S. 1965, c. 327. Amendments: 1970, c. 8; 1971, c. 64; 1972, c. 1; 1976, c. 64

Minister of Agriculture.

Creates the Saskatchewan Veterinary Medical Association. The Act deals with the composition and powers of the council, registration, examinations and discipline.

The Saskatchewan Veterinary Medical Association is established as a body corporate. As a body it may purchase, acquire or take by gift, devise, bequest or donate any real or personal property for the purpose of the Association.

The council shall consist of seven elected members, each of whom is a member of the Association resident in Saskatchewan and whose fees are fully paid up. The council may pass bylaws respecting the admission and registration of members, fixing the annual registration fee and the penalty for default, etc.

Provisions respecting registration, examination to obtain membership and the discipline of members are outlined.

III. ASSISTANCE

1. Financial

AGRICULTURAL AIDS ACT, R.S.S. 1965, c. 207.

Minister of Agriculture Provides the authority to raise loans to promote certain agricultural interests.

The Lieutenant Governor in Council may authorize the Provincial Treasurer to raise by way of a loan upon the credit of the province such sum or sums of money, not to exceed in the whole at any one time two million dollars, as may be appropriated by the Legislature for the following purposes: to carry out the provisions of the "Livestock Purchase and Sale Act"; to assist agricultural enterprises; and to reimburse the consolidated fund for money expended under legislature appropriations.

AGRICULTURAL DEVELOPMENT AND ADJUSTMENT ACT, R.S.S. 1965, c. 222. Amendments: 1966, c. 26; 1969, c. 2.

Minister of Agriculture.

Provides assistance to projects for the purpose of improving the utilization of agricultural resources and for the purpose of providing income and training opportunities for farmers.

Provision is made for the establishment of rural development areas. Low income farmers in such areas may apply for loans to increase their incomes through land improvement, the acquisition of livestock, the erection or improvement of buildings, the purchase of machinery and equipment, the acquisition of working capital and through other approved purposes (but not the purchase of land). The aggregate amount that a farmer may borrow is \$8,000 in any two-year period and the total of all loans to him may not exceed \$20,000. Where a farmer between 21 and 60 years of age realizes less than \$15,000 from the sale of his agricultural land, he may apply for educational assistance.

AGRICULTURAL INCENTIVES ACT, 1973, S.S. 1973, c. 2. Amendment: 1974-75, c.1.

Minister of Agriculture.

Provides financial assistance to encourage and promote the development and expansion of the agricultural industry in Saskatchewan.

The purpose of the FarmStart program is to provide credit and grants to persons establishing or expanding livestock operations as a means of developing profitable farming objectives. The program has two objectives: 1) to assist farmers and potential farmers who face difficulties in developing economic farm units, and 2) to assist with diversifying Saskatchewan agriculture to stimulate an increase in income and employment in the province by additional livestock production.

The Act constitutes a corporation to be called FarmStart. It may make loans to an eligible person, co-operative farm association or farming partnership. Applicants must have a net worth of less than \$60,000. Maximum loans to an individual will be \$60,000, but a loan must not increase the total value of his productive assets to more than \$100,000.

FarmStart credit may be used for a variety of purposes that include: 1) purchasing breeding stock or withholding female livestock to establish or expand basic breeding herds; 2) clearing, breaking and sowing or resowing to grass any grazing land of the farmer so as to increase the amount of land intended for grazing purposes; 3) constructing or renovating buildings, improvements to facilities, and purchasing equipment, to be used in the establishment or expansion of livestock production; 4) purchasing feeder hogs for finishing operations that are being established or expanded on a permanent basis; and 5) withholding calves until they can be sold as feeder animals.

FarmStart grants for purposes consistent with the use of FarmStart loans will be available to persons who lack the necessary capital to develop economic farm units. Qualifying persons must have a net worth of less than \$36,000, and each \$1,000 of net worth before this amount will increase the amount of the grant by \$500. The maximum grant available is \$8,000.

The Act provides for the establishment of a fund called the FarmStart Fund which is to be under the direction and control of the corporation. Provision is also made for the appointment of an Advisory Council.

AGRICULTURAL PRODUCTS MARKET DEVELOPMENT FUND ACT, 1974, S.S. 1973-74, c. 3. Amendment: 1976, c. 4.

Minister of Agriculture.

Provides assistance for the promotion and development of markets for agricultural products produced in Saskatchewan.

The purposes of this Act are to make provision for assistance to persons to encourage and assist them in the exploration, development and expansion of markets for agricultural products produced or capable of being produced in the province and to empower the committee to engage in the preliminary stages of trade of such products. The Market Development Fund is constituted. The Act also establishes the Market Development Committee which shall make provision for the making of loans and grants and the supplying of goods or services considered necessary by it for the promotion and development of markets for agricultural products produced or to be produced in the province.

The Market Development Committee has powers 1) to initiate and undertake projects to improve the marketing of agricultural products produced or capable of being produced in the province, 2) to encourage or engage in the trade of agricultural products when such trade is in the development stage, 3) to co-operate with all groups or individuals working towards the same purpose, and 4) to enter into contracts or agreements with any person for the purpose of carrying out its functions.

AGRICULTURAL RESEARCH FOUNDATION ACT, R.S.S. 1965, c. 219.

Minister of Agriculture.

The Saskatchewan Agricultural Research Foundation is set up by this Act. Its purpose and functions are stated.

The sum of \$284,200, being surplus funds from the operations of the Canadian Wheat Board of 1919 paid to the Province by the Government of Canada, is placed in the hands of the Saskatchewan Agricultural Research Foundation in trust and with the interest to be used for the following purposes: scientific research by the University of Saskatchewan with special reference to problems in plant and animal diseases, soil problems, crop pests, land utilization and farm finance surveys; special research in connection with the marketing of agricultural products; and to provide scholarships from Saskatchewan schools at the College of Agriculture, University of Saskatchewan, and to graduates of this college. Not more than \$3,000 per annum is to be expended on scholarships.

FAMILY FARM CREDIT ACT, R.S.S. 1965, c. 223.

Minister of Co-operation and Co-operative Development.

Provides assistance to farmers in the establishment and development of family farms as economic farm units.

The Act makes long-term credit available to farmers. The Co-operative Trust Company is designated as the agency that may make loans to farmers for the purposes of purchasing land, constructing and repairing buildings, soil conservation, purchasing farm equipment and livestock and paying off mortgages.

Not more than \$25,000 shall be lent to any one borrower; moneys lent may be available to the borrower in a lump sum or in instalments; no loan shall be made unless it is expected that an economic farm unit will be established as a result; maximum repayment period is 30 years; the loan shall not exceed 80 percent of the appraised value of the securities; and the Company may grant a postponement of principal payment in the event of a low-income year.

FAMILY FARM IMPROVEMENT ACT, R.S.S. 1965, c. 224. Amendment: 1969, c. 20

Minister of Agriculture.

Creates the Family Farm Improvement Branch of the Department of Agriculture for the purpose of improving the rural economy and living standards.

The purposes of this Act are to advance the rural economy and raise rural living standards by providing technical, construction and installation services and financial assistance for the development, improvement and modernization of farmsteads and rural building sites and for the relocation of farm buildings. The Family Farm Improvement Branch of the Department of Agriculture administers this Act. Upon the requisition of the Minister of Agriculture, the Provincial Treasury may make advances to the Branch for purposes of administering this Act. The total net amount of such advances shall not exceed \$3 million.

FARM COST REDUCTION ACT, 1975, S.S. 1974-75, c. 17.

Minister of Agriculture.

Provides for payments to farmers who use fuel petroleum products in their farming operations.

The purpose of the Act is to assist farmers by enabling the minister to make grants to farmers on the basis of the expenditures made by them on fuel petroleum products.

Subject to any regulations prescribed by the Lieutenant Governor in Council, the minister may make grants to farmers in the amount he considers appropriate to reimburse them for fuel petroleum products purchased on and from May 15, 1974, up to and including December 31, 1974, and purchased in each calendar year thereafter.

FARM LOANS ACT, R.S.S. 1965, c. 230.

Minister of Finance.

Establishes the Farm Loans Branch of the Treasury Department. The powers given to the Provincial Treasurer to carry out the purposes of the Act are outlined.

The Provincial Treasurer may acquire and hold farm lands and sell, lease or operate them, undertake the financing of purchasers and lessees of land from either the Saskatchewan Farm Loan Board or himself, take mortgages and such additional security as he may deem advisable. The Act outlines the powers of the Provincial Treasurer in these matters.

LAND BANK ACT, 1972, S.S. 1972, c. 60.

Minister of Agriculture.

Facilitates the acquisition and purchase of farm land in Saskatchewan.

The purposes of the Act include the provision of assistance (a) to residents of Saskatchewan to enable them to establish or maintain family farms in Saskatchewan by increasing the opportunities for them to acquire land for farming; and (b) to increase the opportunities for owners of farm land in Saskatchewan to dispose of their land at fair and just prices.

The Saskatchewan Land Bank Commission is established. Powers and duties of the commission include the acquisition of land suitable for farming, the manner of its purchase, the leasing of land to qualifying applicants and the determination of rents. Where commission land has been leased for at least five years to a lessee who is domiciled in Saskatchewan, the Commission may upon application sell the land to the lessee.

The Act provides for an Advisory Council, Land Bank Committees, and an Appeal Board.

LIVE STOCK LOANS GUARANTEE ACT, 1970, S.S. 1970, c. 40. Amendments: 1971, c. 24; 1972, c. 68; 1973, c. 60.

Minister of Agriculture.

Assists farmers in securing loans for the purpose of financing the purchase of breeding stock.

Under the terms of this Act, the government will guarantee loans made from November 1, 1969, to August 31, 1974, by chartered banks and credit unions to farmers for the purchase of female cattle, female sheep or such other animals as may be designated by the Lieutenant Governor in Council.

Loans are to be repayable in seven years with the option of repayment at any time without notice or bonus. The maximum loan is \$6,000 to an individual; \$12,000 to a two-member partnership, corporation or co-operative; \$18,000 to a partnership, corporation or co-operative with three or more members; and \$18,000 to the council of a band of Indians. There must be a down payment of at least ten percent, but the first payment of principal is due not sooner than two years after the loan was made. The government may make grants to a lender to reduce the interest rate paid by the borrower to seven percent for each of the first three years of the loan.

LIVE STOCK PURCHASE AND SALE ACT, R.S.S. 1965, c. 211. Amendments: 1967, c. 42; 1969, c. 31; 1971, c. 25

Minister of Agriculture.

Deals with the purchase and sale of live stock by the Department of Agriculture.

In this Act "Live stock" means horses, cattle, sheep or swine. For the purpose of aiding the development of the live stock industry in the province, the Minister may annually expend sums not exceeding \$500,000 in purchasing or raising suitable live stock to be sold to persons or organizations. In the purchase and sale of livestock, the Minister may 1) purchase or raise live stock and sell live stock to bona fide farmers actually residing upon farms in the province, and 2) pay premiums to farmers for the purchase or sale of live stock by them, based on a standard of quality specified by the Minister for live stock. Live stock sales may be either for cash or cash and credit. The credit given may not be for more than three years or for more than seventy-five percent of the value of any animal.

MUNICIPAL HAIL INSURANCE ACT, 1968, S.S. 1968, c. 51. Amendments: 1973, c. 67; 1973-74, c. 69; 1974-75, c. 30.

Provincial Secretary.

Provides for the continuing of an association composed of all municipalities under the name of "The Saskatchewan Municipal Hail Insurance Association" to insure specified crops against loss by hail or damage by fire.

Under this Act, there continues to be a Saskatchewan Municipal Hail Insurance Association. It is composed of one representative appointed by each municipal council. Specified crops are insured against loss by hail or damage by fire. Provision is made for any landowner by written notice to withdraw his land from the operation of this Act prior to the first day of April in any year. Every person liable to assessment must by June 10th each year report his actual or intended crop acreages to the secretary-treasurer of his municipality. Assessed rates are collected in the same manner as taxes. Provision is made for inspectors to investigate claims and make reports to the Association for the adjudication of claims.

PRAIRIE AGRICULTURAL MACHINERY INSTITUTE ACT, 1974, S.S. 1973-74, c. 2. Amendments: 1974-75, c. 49; 1976, c. 3.

Minister of Agriculture.

The Prairie Agricultural Machinery Institute is established to test and appraise farm machinery and to undertake development work to improve and develop agricultural machinery.

The Institute is constituted as a body corporate. The affairs and business of the Institute shall be managed by a council under the name of the Prairie Agricultural Machinery Institute Council. The duties of the Institute are 1) to test and appraise under actual or simulated working conditions machinery sold or offered or intended for sale; 2) to undertake development work to improve and develop machinery for agricultural use; 3) to publish such reports, pamphlets and bulletins as are consistent with the intent of this Act; and 4) to perform such additional functions as may be determined by the council to be consistent with the objectives of the Institute. A fund to be known as the Prairie Agricultural Machinery Institute Fund is constituted.

SASKATCHEWAN AGRICULTURAL RETURNS STABILIZATION ACT, 1975, S.S. 1974-75, c. 43.

Minister of Agriculture

Deals with the stabilization of returns from the production of agricultural commodities.

The minister is empowered to enter into agreements for Saskatchewan to participate in any national programs that provide in any way for the paying of moneys to or guaranteeing returns on commodities to producers for the purpose of stabilizing returns to producers.

For the purpose of carrying out any program, the Lieutenant Governor in Council is empowered to classify producers and commodities and to impose charges or assessments.

The Saskatchewan Agricultural Returns Stabilization Fund may be established, and it shall be used to carry out programs under the Act.

SASKATCHEWAN CROP INSURANCE ACT, R.S.S. 1965, c. 229. Amendments: 1967, c. 92; 1973, c. 87, 1973, c. 88.

Minister of Agriculture.

Creates the Saskatchewan Crop Insurance Board and gives it the power to insure insurable persons under any plan or plans of crop insurance prescribed by the Board.

The Saskatchewan Crop Insurance Board is established for the purpose of administering the Act and providing "all-risk insurance" or "crop insurance" of wheat, oats, barley and any other agricultural crop declared by the regulations to be insurable for purposes of this Act against loss caused by drought, flood, hail, wind, frost, lightning, excessive rain, snow, hurricane, tornado, wildlife (ducks, geese, sandhill cranes, deer, elks, antelopes or bears), insect infestation, plant disease or any other peril designated by the regulations. Among other things, the Board consisting of not less than six or more than eight members, will insure insurable persons; fix rates of premiums for insurance; enter into contracts for insurance; and conduct research, surveys and investigations relating to crop insurance.

This Act provides for the establishment of the Saskatchewan Crop Insurance Fund into which the Minister of Finance may pay each year a sum not exceeding the total of the amounts that insured persons have paid as premiums in respect of contracts of insurance in that fiscal year; \$200,000 for use as reserve capital; and in any subsequent fiscal year an amount sufficient to restore the reserve capital to \$200,000. A Crop Insurance Disaster Reserve Fund is also established.

SASKATCHEWAN LOANS ACT, R.S.S. 1965, c. 58.

Minister of Finance.

Concerns the raising of loans for capital expenditure authorized by the Saskatchewan Legislature.

The Lieutenant Governor in Council may authorize the Provincial Treasurer to raise loans for capital expenditure on certain objects which include construction and extension of telephone systems; purchase of drainage district debentures and advances for the execution of work under The Drainage Act; agricultural and other enterprise undertakings operated on behalf of the Crown; and works and undertakings required in the protection and development of natural resources, the purchase of equipment for these purposes and advances to settlers under any land settlement scheme.

2. Relief and Aid

LOCAL IMPROVEMENT DISTRICTS RELIEF ACT, R.S.S. 1965, c. 179. Amendment: 1969, c. 61.

Minister of Municipal Affairs.

Empowers the Minister of Municipal Affairs, when necessary, to provide relief in Local Improvement Districts (a) to farmers and other residents and (b) to settlers.

In local improvement districts the Minister of Municipal Affairs may make advances of food, fuel, clothing, feed and fodder to farmers who may be unable to purchase these without assistance because of crop failure or other adverse conditions. Lien notes will be taken from those to whom advances are made. The Minister may make to settlers residing in local improvement districts or in rural municipalities advances of food, fuel, clothing, bedding, building material, work stock, feed, veterinary services, livestock medicine, livestock, poultry, fodder seed, petroleum products, implements, fencing and other equipment, cost of cutting crops and discing land and freight on settlers' effects. Advances may also be made for the movement and re-establishment on land of rural settlers who are on relief or are about to become public charges.

MUNICIPALITIES RELIEF AND AGRICULTURAL AID ACT, R.S.S. 1965, c. 178.

Minister of Municipal Affairs.

Concerns the granting of relief and agricultural aid in municipalities.

Every municipality has the power to furnish direct relief in the form of food, fuel and clothing to farmers who, owing to failure of crops or other adverse conditions, may need it. The province may pay to any municipality a portion of these relief expenditures. A municipality may enter into agreements with the provincial government concerning the winter maintenance of livestock and the marketing or disposal of surplus livestock. The municipality may take a lien agreement for repayment of an advance of direct relief.

MUNICIPALITIES SEED GRAIN AND SUPPLY ACT, R.S.S. 1965, c. 168. Amendment: 1967, c. 92; 1969, c. 61.

Minister of Municipal Affairs.

Enables municipalities to borrow money for distribution of seed grain and supplies.

A municipality may borrow money to purchase and distribute seed grains (wheat, oats, barley, flax, rye, corn, alfalfa and grass) and supplies (petroleum products, feed grain, fodder, repairs to implements and parts, repairs to harness, formaldehyde and other smut-control compounds and gopher poison and such other commodities and services as the Lieutenant Governor in Council may approve) to farmers who are unable to purchase these without assistance by reason of crop failure or other adverse conditions. The maximum advance may not exceed \$300 per year on each quarter section. The municipality takes promissory notes for these advances.

Where in any year a person receives an advance of seed grain or supplies, or both, under this Act, the amount of the advance shall be a special lien or charge on all crops grown in the year in which the advance is made upon the land described in the agreement for lien, and such lien shall have priority over all other liens, privileges and encumbrances on the crops, except the thresher's lien under The Threshers' Lien Act and the right, if any, of the municipality to distrain for advances made or guaranteed by it for binder twine, repairs to implements and parts for use in cutting the said crops to the extent of 30 cents for each acre cut and threshed, and liens and charges created by section 19 of The Bills of Sale Act in respect of seed grain or necessities.

NORTHERN ADMINISTRATION ACT, R.S.S. 1965, c. 412. Amendments: 1966, c. 55; 1969, c. 39; 1973, c. 70.

Minister of Northern Saskatchewan.

Applies to the northern part of the province which is administered by the Minister of Natural Resources. He may provide for the purchase and sale of seed grain and supplies to necessitous farmers and settlers.

In the northerly portion of the province administered under this Act, the Minister of Natural Resources may provide for the purchase, sale and distribution of seed grain and supplies consisting of petroleum, feed grain, fodder, binder twine, repairs to implements and parts, formaldehyde, gopher poison and other necessary commodities among farmers and settlers in the district who are unable to procure these commodities owing to lack of resources because of crop failure or other adverse conditions. The cost shall not exceed \$200 for any quarter section in any year. The Minister shall take promissory notes for advances which shall be liens upon the crops of the borrowers.

IV. CO-OPERATIVES AND CREDIT UNIONS

CO-OPERATIVE ASSOCIATIONS ACT, R.S.S. 1965, c. 246. Amendments: 1966, c. 28; 1967, c. 50; 1969, c. 9; 1973-74, c. 16.

Minister of Co-operation and Co-operative Development.

Assists the organization and operation of non-profit co-operative associations to meet the economic and social needs of their members on a self-help basis.

The Act specifies the method of incorporation of co-operatives, their powers, bylaws, membership and share certificates, management and administration, and directors and meetings. The Act applies to all associations, with specific provisions outlined for consumers' associations, community service associations and housing associations. Provision is made for federations of associations to become incorporated and for registration under this Act of co-operatives incorporated under other legislation.

The last part of the Act deals with miscellaneous matters such as amalgamations, dissolutions, and the duties of the Registrar of Co-operative Associations for Saskatchewan, who is the Deputy Minister of the Department of Co-operation and Co-operative Development.

CO-OPERATIVE GUARANTEE ACT, R.S.S. 1965, c. 250. Amendments: 1967, c. 52; 1973, c. 19; 1974-75, c. 6.

Minister of Co-operation and Co-operative Development.

Authorizes guarantees by the Province of Saskatchewan to certain co-operative organizations.

The Lieutenant Governor in Council may authorize the Provincial Treasurer on behalf of the Province to guarantee loans made (1) by the Saskatchewan Co-operative Credit Society Limited or Saskatchewan Co-operative Financial Services Limited to co-operative associations and credit unions, and to members of co-operative associations and credit unions; and (2) by the Co-operative Trust Company Limited to a shareholder or member of a shareholder. Restrictions are placed on the amounts of guarantees and the purposes for which the loans are granted. Requests for guarantees must originate with the above-mentioned society or company and are considered by a Co-operative Guarantee Board appointed under the Act. The Board in turn makes recommendations to the government.

CO-OPERATIVE MARKETING ASSOCIATIONS ACT, R.S.S. 1965, c. 247. Amendment: 1969, c. 10

Minister of Co-operation and Co-operative Development.

Enables persons or co-operative associations to incorporate for the general purpose of marketing products on a non-profit co-operative basis.

Any five or more persons or any two or more co-operative associations may incorporate for the purpose of marketing products on a non-profit co-operative basis. The Act sets forth the methods of incorporation, powers of the association, provisions regarding bylaws, contracts, membership, directors, records, accounts and returns, amalgamations and dissolution, and registration of marketing co-operatives incorporated under other legislation.

CO-OPERATIVE PRODUCTION ASSOCIATIONS ACT, 1967, S.S. 1967, c. 53. Amendment: 1969, c. 11

Minister of Co-operation and Co-operative Development.

Assists producers to increase their income from production on a co-operative basis.

The Act provides for the incorporation of the following co-operative associations: machinery associations; farm associations; livestock associations; grazing and fodder associations; land-improvement associations; lake, forest and fur associations; manufacturing associations and production service associations as well as those production associations which are referred to in The Co-operative Associations Act.

The Co-operative Production Associations Act, 1967, also outlines the powers of an association and deals with bylaws, membership, directors and officers, meetings, management and administration as well as amalgamations, dissolution, and duties of the registrar.

CREDIT UNION ACT, 1972, S.S. 1972, c. 24. Amendments: 1972, c. 122; 1973, c. 22; 1974-75, c. 7; 1976, c. 9.

Minister of Co-operation and Co-operative Development.

Provides for the incorporation of credit unions and sets out their organization, powers and operating procedures.

Any ten or more persons resident in Saskatchewan may form a credit union, its object being the promotion of thrift among its members and the creation of a source of credit for its members exclusively for provident and productive purposes.

The Act provides for the incorporation of credit unions and outlines their capital structure, powers, organization, membership, duties of directors, accounting and auditing procedures, amalgamation and dissolution. There shall continue to be a board called the Credit Union Mutual Aid Board to administer the Credit Union Mutual Aid Fund. The purpose of this fund is to protect the security of its members. The Mutual Aid Board may supervise credit unions in need of assistance. It may accept all powers, privileges and immunities bestowed by the Canada Deposit Insurance Corporation Act and act as an agent of the Corporation established by that Act.

DEPARTMENT OF CO-OPERATION AND CO-OPERATIVE DEVELOPMENT ACT, R.S.S. 1965, c. 25.
Amendment: 1973-74, c.23. 1973, c.17.

Minister of Co-operation and Co-operative Development.

Provides for a Department of Co-operation and Co-operative Development and for a Minister to preside over it. The duties and powers of the Department are given as well as the Acts that it administers.

The Department named above is established to encourage co-operation and co-operative development in the Province. It is responsible for the inspection and examination of the affairs of co-operative bodies; and for collecting, assorting and systematizing information and statistics on them. The Department is to establish a research service for inquiry into the operation of co-operative enterprises and for making investigations and analyzing problems.

In relation to agriculture, the service will study and report on questions associated with agricultural production and the processing and marketing of agricultural products. The Department administers the Co-operative Associations Act, The Co-operative Marketing Associations Act, The Credit Union Act, and such other Acts as may be designated by the Lieutenant Governor in Council.

V. LAND POLICY

1. Development, Drainage, Irrigation and Conservation

CONSERVATION AND DEVELOPMENT ACT, R.S.S. 1965, c. 221. Amendments: 1967, c. 46; 1970, c. 10; 1972, c. 17; 1973, c. 17.

Minister of Agriculture.

Assists the conservation and development of the agricultural resources of Saskatchewan.

Provision is made for the establishment of conservation and development areas. Works in these areas may be authorized by the Minister of Agriculture, to be undertaken either by the province alone, or by arrangement between the province and the Government of Canada, or by a person or corporation. An elected area authority shall be the governing body of an area and shall operate according to the terms of this Act. Benefited lands may be assessed to defray the cost, administration and operation and maintenance of works.

DRAINAGE ACT, R.S.S. 1965, c. 349.

Minister of Agriculture.

Deals with the organization and financing of drainage districts.

The Act provides for the organization and financing of drainage districts. Before a drainage district can be organized, the resident owners of at least two-thirds of the land area to be drained must sign a petition and submit it to the Minister of Agriculture. Upon the organization of a drainage district, the Lieutenant Governor in Council may before, during or after the execution of a drainage work therein order the issue and negotiation of debentures of the district for the estimated or actual cost of the work, including the estimated or actual cost of the issue and sale of debentures.

EXPROPRIATION ACT R.S.S. 1965, c. 56.

Minister of Agriculture.

The Act describes procedures for expropriating land, or any interest in, right or privilege concerning land required for the maintenance and construction of projects under the Water Power Act, the Water Rights Act or the Conservation and Development Act.

EXPROPRIATION (REHABILITATION PROJECTS) ACT, R.S.S. 1965, c. 226.

Minister of Agriculture.

Provides for the acquisition of land required for the rehabilitation of drought and soil drifting areas.

The Minister of Agriculture may take possession of any land required for any project undertaken under The Prairie Farm Rehabilitation Act (Canada) including the establishment of community pastures and grazing reserves and the construction of works for irrigation or water supply. Compensation will be provided from moneys made available by the Government of Canada for the purpose.

GROUND WATER CONSERVATION ACT, R.S.S. 1965, c. 362. Amendments: 1968, c. 28; 1972, c. 122.

Minister of the Environment.

Concerns the drilling of water wells and the conservation and utilization of ground water.

The purposes of this Act are to obtain information on formations and materials encountered during drilling operations in order to assist in ground water and geological studies; to provide for the conservation, development and utilization of ground water resources; and to prevent pollution and contamination of ground water. The Act provides for the licensing of well drillers and the regulation of drilling methods.

IRRIGATION DISTRICTS ACT, R.S.S. 1965, c. 351.

Minister of Agriculture.

Provides for the organization, powers and operating procedures of irrigation districts.

The Act describes how an irrigation district is to be organized and established and how trustees for the district are to be elected. It gives the powers of the board of trustees, including expropriation and construction of works, and tells how costs shall be assessed against property owners in the district.

PRAIRIE AND FOREST FIRES ACT, R.S.S. 1965, c. 364. Amendment: 1968, c. 55.

Minister of Tourism and Renewable Resources, Minister of Northern Saskatchewan.

Provides for the prevention and suppression of prairie and forest fires.

The Minister may take the necessary action to provide personnel and equipment for the prevention, detection and suppression of fires. The powers and duties of the personnel are outlined as well as the penalties for failing to enforce the provisions of the Act. This Act does not apply to any city, town or village.

PRIVATE DITCHES ACT, R.S.S. 1965, c. 350.

Minister of Agriculture.

Concerns the construction and maintenance of small ditches by the owners of lands to be benefited.

This Act concerns the construction of ditches in municipalities where the cost of one ditch does not exceed \$5,000. It outlines the allocation of costs and the procedure to be followed when an owner constructs a ditch which must pass through property owned by other persons.

SOIL DRIFTING CONTROL ACT, R.S.S. 1965, c. 237.

Minister of Agriculture.

Empowers the council of a rural municipality to regulate and control tillage practices.

The council of a rural municipality may, and shall upon receipt of a petition signed by forty resident ratepayers requesting the council to do so, pass a bylaw providing for the regulation and control of tillage practices which, in the opinion of the council, are liable to cause rapid soil deterioration by wind erosion.

A bylaw may contain provisions requiring adoption of the practice of strip farming; the growing of cover crops; the providing of trash cover or the spreading of straw or other refuse on cultivated lands; prohibiting the burning of stubble; prohibiting the cutting or requiring the planting of trees; requiring, prohibiting or governing the use of specified kinds of machinery; governing tillage operations; and regulating or prohibiting the growing of crops in specified areas.

A bylaw is not effective until approved by the Minister of Agriculture and submitted to a vote of electors, three-fifths of whom must approve. If an order made under the bylaw is not complied with, the council may order the work done, the cost being charged to the

owner of the land and collected as part of the taxes on the land. In local improvement districts the Minister of Municipal Affairs administers this Act.

SOUTH SASKATCHEWAN RIVER IRRIGATION ACT, 1966, S.S. 1966, c. 79. Amendment: 1967, c. 49

Minister of Agriculture.

Provides for the establishment and development of the South Saskatchewan River Irrigation Project.

This Act provides for the establishment of an irrigation district or districts for the use of water in the South Saskatchewan River Project. The powers of the Minister are stated. They include with respect to any district the planning, constructing, operating and maintaining of an irrigation system as well as the altering, improving and extending of the irrigation system. The Minister may make grants for the operation and maintenance of a project and for assisting farmers in land development. He may grant loans to farmers in districts with a limitation of \$50,000 to any one borrower within a budget limitation of \$5,000,000, and provision is also made for the province to guarantee loans made by recognized lending institutions to a limit of \$5,000,000.

The board of five trustees is constituted to manage district affairs. Procedures for the election of trustees are given. A board has power to enter into any agreement and shall do all things necessary or incidental to the construction, maintenance, operation and management of the irrigation system and works and all alterations, improvements, extensions and additions from time to time thereto. It may make regulations and bylaws. The board is to set the water rates for each year and to prepare and keep a water rates record.

WATER POWER ACT, R.S.S. 1965, c. 52. Amendment: 1972, c. 122

Minister of the Environment.

Declares the property in and the right to use all provincial water powers to be vested in the Crown. Essential lands also remain Crown property. Any land required by the Crown may be expropriated.

If land is required by the Crown for creating, protecting or developing any water power, the Lieutenant Governor in Council may direct to have the title to such land acquired by expropriation. A person who is authorized to carry out a water power project may enter, use, occupy, take and acquire any lands other than provincial lands and all the provisions of The Expropriation Act that are applicable to the taking and acquisition of land will apply as if they were included in this Act. Nothing in this Act will affect any provision of The Water Rights Act.

WATER RESOURCES MANAGEMENT ACT, 1972, S.S. 1972, c. 146

Minister of the Environment.

Provides for the administration, planning and use of the water resources of Saskatchewan.

The general duties of the Minister are outlined. Other divisions of the Act cover basic data and research, investigation and planning, interprovincial and international waters, referred projects, water management, and reservoir land use as well as waterworks, sewage works and pollution control.

WATER RIGHTS ACT, R.S.S. 1965, c. 51. Amendments: 1967, c. 17; 1968, c. 72; 1968, c. 87; 1970, c. 82; 1972, c. 122

Minister of the Environment.

Empowers the Minister through the Saskatchewan Water Resources Commission to manage and administer water rights in the province.

The ownership of and right to use surface water (water above the surface of land and being in a river, stream, watercourse, lake, creek, spring, ravine, coulee, canyon, lagoon, swamp, marsh or other body of water) and ground water (water beneath the surface of

the land) is deemed to be vested in the Crown and, unless authorized by or under this Act, no person may divert or impound it. Nothing in this Act restricts the right of a person owning or occupying land that adjoins a body of surface water to use such quantity of its water as he may require for domestic purposes on the land.

The Act describes methods of securing permission to construct dams and other works for domestic, irrigation and other purposes. Rules governing inspection of such works and means of settling disputes which may arise are outlined.

WATER USERS ACT, R.S.S. 1965, c. 139.

Minister of Agriculture.

Provides for the establishment of water users' districts and for the incorporation of water users' associations. It sets out the powers, duties and operating procedures of water users' associations.

This Act provides for the establishment and extension or reduction of water users' districts which may consist of a portion of a rural municipality or local improvement district, one or more of either, or a combination of the two.

Those who petition for the establishment of a water users' district, and such other persons as are eligible, become the water users' association in the district. The powers and duties of this association are outlined.

2. Tenure

AGRICULTURAL LEASEHOLDS ACT, 1969, S.S. 1969, c. 3.

Minister of Agriculture.

A farm tenant whose lease has expired is given the right of re-entry for harvesting purposes or for the removal of a threshed crop.

EXPROPRIATION PROCEDURE ACT, 1968, S.S. 1968, c. 21. Amendments: 1972, c. 41; 1973, c. 36.

Attorney General.

Concerns the procedure for expropriating lands and for determining compensation for expropriated lands.

The expropriating authority must make a reasonable endeavor to acquire land by purchase from the registered owner. The Public and Private Rights Board is established. Upon receiving a written application from an owner of land, the board may investigate the complaint. It may also review offers of compensation and endeavor to arrange a settlement. A landowner may require the expropriating authority to furnish him with an evaluation report respecting his land. He may commence an action for the determination of the amount of compensation, which action shall be brought in the nearest district court. The Act stipulates that an expropriating authority shall make due compensation to the owner of the expropriated land.

FARMING COMMUNITIES LAND ACT, R.S.S. 1965, c. 117.

Minister of Agriculture.

Describes the method whereby land jointly registered in the names of two or more persons may be subdivided.

GAME ACT, 1967, S.S. 1967, c. 78. Amendments: 1968, c. 26; 1970, c. 24; 1972, c. 47.

Minister of Tourism and Renewable Resources, Minister of Northern Saskatchewan.

Governs the hunting of game birds and animals. Provisions that relate to agriculture are outlined below.

The Act sets forth provisions governing the hunting of game animals and birds. No hunting is permitted on enclosed and occupied lands. The onus is placed on the person charged to prove that he had obtained the consent of the owner or occupant to hunt on his land or that the land was not posted with signs as specified in the Act. The Minister may enter into a contract of insurance with an insurance company for the purpose of insuring persons against loss resulting from damage to crops caused by game. Compensation may be paid where any live stock is killed or wounded by a person hunting game.

HOMESTEADS ACT, R.S.S. 1965, c. 118.

Attorney General.

Prevents a husband from alienating the homestead without the consent of his wife.

A homestead consists of not more than 160 acres and the house or buildings occupied by the owner. Every transfer, agreement of sale or lease on a homestead and every mortgage on a homestead must be signed by the owner and his wife, if he has a wife, and the latter must appear before the appropriate legal officer and acknowledge that she understands her rights in the homestead and that she signs the instrument of her own free will and without compulsion on the part of her husband. Every other transfer, lease, agreement of sale or mortgage must be accompanied by an affidavit of the maker that the land described has not been a homestead at any time or that he has no wife or that his wife does not reside and has not resided in Saskatchewan since the marriage.

LANDLORD AND TENANT ACT, R.S.S. 1965, c. 348.

Attorney General.

Covers covenants and conditions, leases, distress, and overholding tenants.

The Act provides that a person having rent due and in arrears may seize grain on the land charged with the rent; cattle or other livestock feeding or pasturing on a highway, or upon any way belonging to the demised premises; and standing crops on the land charged with the rent. Section 40 of this Act deals with the liability regarding growing crops seized and sold under execution for accruing rent.

LAND TITLES ACT, R.S.S. 1965, c. 115. Amendments: 1966, c. 86 and c. 96; 1967, c. 92; 1968, c. 37; 1970, c. 8 and c. 67; 1971, c. 50; 1972, c. 1; 1973, c. 52; 1973-74, c. 54; 1974-75, c. 23.

Attorney General.

Covers organization of system, registration and its effect; deals with certificate of title, instruments that may be registered, involuntary transfer of title, and court and other proceedings.

Under this Act eight registration districts are established in the Province of Saskatchewan with provision that the Lieutenant Governor in Council may establish others, as land settlement and the exigencies of the public service require. There is to be a land titles office in each district. Any person owning land may apply for registration under this Act. It outlines provisions concerning certificate of title, instruments that may be registered, involuntary transfer of title as well as court and other proceedings.

LINE FENCE ACT, R.S.S. 1965, c. 353.

Minister of Agriculture, Minister of Municipal Affairs.

Deals with the liability of owners or occupiers of adjoining parcels of land who desire to erect a line fence, the division of costs and the method of arbitration in the event of dispute.

NAMES OF HOMES ACT, R.S.S. 1965, c. 119. Amendments: 1970, c. 8; 1972, c. 1; 1974-75, c. 49.

Minister of Agriculture.

Allows a person owning a home in Saskatchewan to register a name for it.

For purposes of this Act, “home” means a lot, farm, ranch or other land, except land within a summer resort, upon which is situated a dwelling house. A person owning a home in Saskatchewan and desiring to register a name for it may make application to do so and retain the right of exclusive use of the name registered under this Act.

RECOVERY OF POSSESSION OF LAND ACT, R.S.S. 1965, c. 122.

Attorney General.

Provides that, when a person refuses or fails to cease using or occupying land which he is wrongfully or without lawful authority using or occupying, the person entitled to possession may apply to the judge of the district court for an order to have the occupier removed. Details of how the order is to be obtained and served are given. This Act does not apply to overholding tenants.

RURAL TELEPHONE ACT, R.S.S. 1965, c. 161. Amendments: 1969, c. 49; 1973-74, c. 94; 1976, c. 52.

Minister of Telephones.

A section of the Act empowers a telephone company to enter upon, take, use or acquire land or other property, but the company must make proper compensation for any resultant damage.

SAND AND GRAVEL ACT, R.S.S. 1965, c. 414.

Minister of Highways and Transportation.

The relevant sections of this Act relate to the ownership of sand and gravel and certain other minerals.

The owner of the surface of any land is and shall be deemed to have always been the owner of, and entitled to, all sand and gravel on the surface of the land and all sand and gravel obtainable by stripping off the overburden, excavating from the surface, or other surface operation. He is entitled to all ceramic clays, and all other clays that have an industrial use, excepting any clay required for the construction of an earthen dam or road grade, and all volcanic ash, marl and bentonite, within, upon or under the land in respect of which he owns the mines and minerals.

SASKATCHEWAN FARM OWNERSHIP ACT, 1974, S.S. 1973-74, c. 98.

Minister of Agriculture.

Regulates the ownership and control of agricultural land in Saskatchewan.

The Saskatchewan Farm Ownership Board is established to perform the duties and exercise the powers imposed or conferred upon it by this Act. After March 30, 1974, the Act limits the ownership of agricultural land by non-residents and non-agricultural corporations. A resident is defined as an individual who lives either in Saskatchewan or within 20 miles of the border for 183 days or more a year. An agricultural corporation is defined as a corporation primarily engaged in farming and at least 60 percent owned by resident farmers.

A non-resident person is restricted to ownership of land assessed for municipal tax purposes at a maximum of \$15,000, not including buildings or improvements. A non-agricultural corporation is restricted to ownership of 160 acres or less. Companies with larger holdings are given until January 1, 1994, to dispose of all land in excess of 160 acres. The holdings of all non-agricultural corporations will be monitored by the board under a provision of the Act that requires the annual disclosure of holdings in excess of 160 acres.

The transfer of land to creditors is allowed but, if the creditor is a non-resident or a non-agricultural corporation, land in excess of the limitations set down in the Act must be disposed of within two years unless the board grants an extension.

Any person who has lived and farmed in the province for a period of five years or more may transfer the land he owned to an heir, regardless of the heir's place of residence. Saskatchewan residents who leave the province may continue to own their land.

SASKATCHEWAN TELECOMMUNICATIONS ACT, R.S.S. 1965, c. 42. Amendments: 1966, c. 7; 1968, c. 62; 1969, c. 52; 1971, c. 46; 1973-74, c. 102; 1976, c. 54.

Minister of Telephones.

Empowers the Lieutenant Governor in Council to authorize Saskatchewan Telecommunications to enter upon, take possession of, expropriate and use any land, etc., deemed necessary for the purposes of the corporation.

Under this Act a corporation to be called Saskatchewan Telecommunications is established and its organization and powers are outlined.

The Lieutenant Governor in Council may authorize the corporation, without the consent of the owner, to enter upon, take possession of, expropriate and use any land, buildings, plant, machinery, apparatus or equipment, that are necessary for the purposes of the corporation.

The corporation may acquire such lands as it deems advisable or necessary for the purposes of constructing, maintaining and operating telecommunication lines, and the corporation may for such purposes acquire leases of lands or easements on land. For any such purposes the corporation may, without the consent of the owner, enter upon, take possession of, expropriate and use such lands and such rights in or in respect to lands as it deems necessary or advisable. In all cases where land is required by the corporation, provision is made to compensate the owner of, or any person with an interest in, such land.

SURFACE RIGHTS ACQUISITION AND COMPENSATION ACT, 1968, S.S. 1968, c. 73. Amendments: 1972, c. 127; 1973, c. 109; 1974-75, c. 52.

Attorney General.

Relates to the acquisition of surface rights to land and the determination and compensation therefor.

The purposes of this Act are a) to provide for a comprehensive procedure for acquiring surface rights; b) to provide for the payment of just and equitable compensation for the acquisition of surface rights; and c) to provide for the maintenance and reclamation of the surface of land obtained in connection with surface rights acquired under this Act. Provisions are made for a Board of Arbitration and for a mediation officer.

Notwithstanding anything contained in any grant, conveyance, lease, licence, permit or other instrument or document pertaining to the acquisition of an interest in a mineral, an operator does not thereby obtain the right of entry upon the surface of any land or the right to use, occupy or take the surface of any land or interest therein. The Act provides that an operator cannot enter into or acquire any surface right for a well site, roadway purpose, etc., except by an agreement with the owner or by an order of the Board of Arbitration. If the owner and the operator are unable to agree upon the compensation to be paid, the Board is given power to determine the amount of the compensation payment.

The Act covers 1) acquisition of surface rights for well sites, roadways, battery sites and power lines; 2) acquisition of surface rights for flow lines and service lines; and 3) abandonment, surrender and restoration of rights; also 4) liability of an operator to an owner

or occupant for any wrongful, injurious or illegal act committed by an employee of his or by any other person who performed work or provided services to or for his benefit pursuant to a contract.

VI. LEGAL RESTRAINTS

1. General

CANADIAN FARM LOAN PRIORITY ACT, R.S.S. 1965, c. 231.

Minister of Finance.

Concerns the priority of loans under the Canadian Farm Loans Act.

The Board of Revenue Commissioners may direct that any mortgage or lien given to the Canadian Farm Loan Board will rank prior to any lien executed in favor of the province, the Saskatchewan Relief Commissioner or rural municipalities to secure repayment of advances for seed grain, food, fuel or farm supplies.

EXEMPTIONS ACT, R.S.S. 1965, c. 96. Amendments: 1970, c. 19; 1973, c. 35.

Attorney General.

Exempts certain property from seizure and sale under execution.

The following property is exempt from seizure under a writ of execution: grain, flour, vegetables and meat (prepared or on foot) sufficient when converted into cash to provide food and fuel for heating purposes for the execution debtor and his family until the next ensuing harvest; all animals, harness, farm machinery, dairy utensils and farm equipment, including one automobile or one motor truck, necessary to conduct agricultural operations for the next twelve months; seed grain sufficient to sow all his land under cultivation at the rate of two bushels per acre and 14 bushels of potatoes for planting; his crop to such extent as is sufficient when converted into cash to pay for harvesting it and provide a living allowance for the support of himself and his family until the crop of the following year is harvested and to provide the necessary costs of his farming operations until that time; and the homestead, provided that it is not more than 160 acres. In addition, certain clothing, furniture and furnishings are exempt from seizure.

2. Crops

BILLS OF SALE ACT, R.S.S. 1965, c. 392 Amendment: 1966 c. 86; 1973, c. 9; 1973-74, c. 6; 1974-75, c. 3.

Attorney General.

The relevant sections of this Act pertain to securities on growing crops, assignment of proceeds, execution of mortgages on grain, and assignments to certain co-operative companies.

The Act provides, among other things, that no chattel mortgage on a growing crop or crop to be grown in the future is valid unless executed as security for the purchase of seed grain or of necessities (meat, groceries, flour, clothing, coal or binder twine). Mortgages for the price of seed grain have first and preferential security for the amount therein mentioned. Mortgages given for necessities thus have second lien to mortgages for the price of seed grain, to seed grain advances under any Act respecting advances to purchase seed grain, to threshers' liens under The Threshers' Lien Act and the right of distress given to a landlord under The Landlord and Tenant Act. No assignment of the proceeds of sale of a growing crop or crop to be grown in the future is valid except in the case of assignment to certain co-operative societies. All registration of bills of sale must be made with the Registration Clerk at Regina.

CROP PAYMENTS ACT, R.S.S. 1965, c. 228.

Minister of Agriculture.

Respects agreements for payments to vendors, lessors and others by shares of crops.

Where rent is to be paid to a landlord in the form of a share of a crop, it constitutes a lien on the crop prior to all other claims. When land has been sold under an agreement of sale providing for all or part of the purchase money to be in the form of a share of the crop, that payment constitutes a prior lien on the crop. When a mortgage has been given in which payment of the principal or interest is to be in the form of a share of the crop, that payment constitutes a prior lien on the crop.

This Act applies only to cases in which not more than one-half of the crop is subject to claim by the lessor, vendor or mortgagee. Nothing in this Act impairs the priority given in The Bills of Sale Act to mortgages, bills of sale, liens, charges, encumbrances, conveyances, transfers or assignments, made, executed or created as a security for the purchase price and interest thereon of seed grain, or the priority given to charges under any Act respecting seed grain, fodder and other relief, or the priority given to threshers' liens under The Threshers' Liens Act.

GRAIN CHARGES LIMITATION ACT, R.S.S. 1965, c. 242.

Minister of Municipal Affairs.

Limits charges on grain delivered to elevators.

When grain has been delivered to an elevator licensed under the Canada Grain Act, all charges against the grain existing at the time of delivery become void, excepting charges securing payment of money to the Government of Canada, the Government of Saskatchewan, a rural municipality or the Minister of Municipal Affairs on behalf of a local improvement district, or charges arising under The Seed Grain Advances Act or The Bills of Sale Act, provided notice has been given to the operator or manager of the elevator before delivery of the grain. Nothing in the above provision affects charges of which notice is given to the operator after delivery and before settlement by him for the grain, where the charge arises from a share of crop lease or agreement for sale or chattel mortgage given under a seed grain advance, or for purchase of food, clothing, coal or binder twine or under a lien on grain under The Threshers' Lien Act.

Every charge subsisting on grain grown in the province shall become void except those authorized under The Prairie Grain Advance Payments Act (Canada) and those mentioned in the first paragraph of which written notice has been given the elevator, operator or manager before making the advance payment.

SEED GRAIN ADVANCES ACT, R.S.S. 1965, c. 227.

Minister of Agriculture.

Covers advances made to purchase seed grain.

Any mortgagee of land in Saskatchewan may make advances of money to the owner of the mortgaged land or any part thereof to enable him to purchase seed grain. Where a mortgagee makes such an advance he may add the amount thereof to the amount secured by the mortgage and it becomes part of the moneys so secured and may be treated the same. Where land is subject to more than one mortgage, no subsequent mortgagee who makes an advance without the consent of all prior mortgagees shall be entitled to the benefit of this Act.

The mortgagee shall have a lien and charge for the amount of such advance and interest upon all crops grown upon the mortgaged land in the crop year, having priority over all other liens and charges except taxes and sums that may be collected in the same manner as taxes and the statutory lien, if any, created by The Municipalities Seed Grain and Supply Act for seed grain furnished in the preceding year. If the latter lien exists on crops grown during the crop year, the mortgagee will have a first lien and charge upon the crops grown on the mortgaged land during the following year, having priority over all other liens and charges excepting taxes and sums which may be collected in the same manner as taxes.

THRESHER EMPLOYEES ACT, R.S.S. 1965, c. 282. Amendment: 1972, c. 122.

Attorney General.

Protects the wages of threshing machine employees.

An employee who works for wages on or about a threshing machine shall, to the extent of his wages, have a claim against such earnings of his employer as may be still unpaid by a third person for whom the threshing has been done. This claim has priority over all garnishments, attachments or assignment of the earnings whenever made and over every claim or right of every kind and description. No such third person shall be liable to an action or proceeding by the employer, or his assigns, in respect of the earnings while retained by him pursuant to this Act. The procedure for making a claim is outlined.

THRESHERS' LIEN ACT, R.S.S. 1965, c. 281.

Attorney General.

Covers the liens threshers have upon grain for the purpose of securing payment.

Every person who threshes or cuts and threshes for another person for a fixed price or rate of remuneration shall, from the date of commencement of the work until 60 days after the completion, have a lien upon the grain for the purpose of securing payment.

The lien has priority over all writs of execution against the owner of the grain, over all chattel mortgages, bills of sale or conveyances made by him and all rights of distress for rent reserves upon the land upon which the grain is grown. This does not derogate from the priority conferred by The Bills of Sale Act upon mortgages, bills of sale, liens, charges, encumbrances, conveyances, or assignments made, executed or created as a security for the purchase price and interest thereon of seed grain.

3. Livestock

POLLUTION (BY LIVE STOCK) CONTROL ACT, 1971, S.S. 1971, c. 38. Amendment: 1972, c. 122.

Minister of Agriculture.

Regulates intensive live stock operations.

Before an intensive live stock operation is constructed or altered, the operator must secure a permit from the Minister of Agriculture after the latter obtains approvals from the Minister of Public Health, the Minister of Natural Resources and the Saskatchewan Water Resources Commission. The Minister may make such orders as he deems necessary in directing operators of intensive live stock operations to remedy unsanitary conditions; to abate or discontinue nuisances caused by odors, insects or rodents; and to remove the danger of any lands or waters being polluted.

Regulations which the Lieutenant Governor in Council may make under the Act include 1) prescribing the number of poultry, hogs, sheep or cattle the rearing, confinement or feeding of which constitute an intensive live stock operation; and 2) prescribing the manner in which and the places where waste substances from any intensive live stock operation may be disposed of.

STABLE KEEPERS' LIEN ACT, 1972, S.S. 1972, c. 120.

Minister of Agriculture.

The Act covers the liens that stable keepers have for the food, care, attendance or accommodation they have provided.

A "stable keeper" means a person who, for a money consideration or its equivalent, stables, feeds, boards, grazes or cares for animals. Every stable keeper has a lien on animals and things mentioned in the Act for the price of food, care, attendance or accommodation furnished for those animals or things. He has the right of detention.

4. Machinery

AGRICULTURAL IMPLEMENTS ACT, 1968, S.S. 1968, c. 1. Amendments: 1970, c. 2; 1971, c. 50; 1973, c. 1; 1976, c. 2.

Minister of Agriculture.

Regulates the sale of agricultural implements in the province.

Provisions of the Act apply to everyone selling or offering to sell implements including manufacturers, distributors and dealers. Every manufacturer must appoint a distributor in the province. Distributors must maintain an adequate supply of repairs. Inspectors are authorized to inspect implements, and to repair stocks and contracts for sales that have been made.

The dealer and distributor must warrant that a new implement will well perform the work for which it is intended if properly used and operated, must give a one-year guarantee and undertake to provide repair parts for a period of ten years. If the purchaser cannot make an implement perform satisfactorily within ten days of purchase, he must give notice in writing to the dealer or the distributor, who must make the implement perform properly within the next seven days; otherwise, the purchaser may within the next three days, by written notice, reject the implement and end the contract.

The dealer and distributor must provide an emergency-parts service for implements that break down in the season of use. The purchaser must notify the dealer that the parts are required for emergency repairs. The time for supplying emergency repairs is set at 72 hours excluding Saturday, Sundays and holidays. Unless the parts cannot be delivered within that time because of conditions beyond their control, the dealer and distributor are jointly liable to pay to the purchaser an amount equal to one-half the normal rental rate for the time the implement would normally be used, or they may supply the purchaser with another implement at one-half the normal rental rate.

Where an agreement covering agricultural implements expires or is terminated, suppliers must take back unused implements and unused parts from dealers. Dealers are entitled to receive 100 percent of the invoice price of unused implements plus original transportation costs and 85 percent of the current net price of unused parts.

An Agricultural Implements Board is constituted and an Agricultural Implements Compensation Fund is established. Contributions made to the Fund by distributors in accordance with the Act shall be used by the Board to pay compensation to farmers, to defray the costs of investigating and hearing claims for compensation under the Act and to maintain a reserve fund to pay compensation that may become payable.

LIMITATION OF CIVIL RIGHTS ACT, R.S.S. 1965, c. 103. Amendments: 1968, c. 41; 1969, c.27; 1970, c.37; 1971, c. 50; 1973, c.57.

Attorney General.

Provides for the limitation of certain civil rights in respect to mortgages and agreements for sale and leases of land, mortgages and chattel mortgages, conditional sales, and farm implements.

In particular, the Act protects farmers from unfair repossession of farm machinery. Procedures under which a farmer may apply for a hearing by a judge with respect to a debt are simplified and extended to articles subject to a chattel mortgage as well as to articles that are the subject of a conditional sale. Two copies of a notice of intention to take possession of an article are required of a creditor. A debtor may apply for a court hearing at any time but, if he fails to make application within thirty days of the day he is served with a notice of intention to repossess, the creditor may take possession of the article. If a debtor applies for a hearing by a judge within thirty days of the day he is served with a notice of possession, the creditor may not proceed without court approval.

Where a creditor takes possession of an article, he must serve a notice of possession. The debtor then has a further period of thirty days during which he may apply to the court for a hearing. The creditor may dispose of the article upon expiry of thirty days after he serves the debtor with a notice of possession unless the debtor applies for a hearing, in which case the creditor must await approval of the court.

VEHICLES ACT, R.S.S. 1965, c. 377. Amendments: 1967, c. 82; 1968, c. 83; 1969, c. 72; 1970, c. 79; 1971, c. 50; 1972, c. 122; 1972, c. 144; 1973-74, c. 122; 1974-75, c. 59; 1974-75, c. 60.

Minister in Charge of Highway Traffic Board.

Relevant provisions of the Act regulate farm machinery when it is on a highway.

Tractors and self-propelled vehicles are included in the definition of a motor vehicle. A "farm truck" means a motor vehicle classified by and registered with the Highway Traffic Board as a farm truck.

At night and at all other times when fog or other atmospheric conditions render the operation of a motor vehicle dangerous to the traffic on or use of the highway, lamps are required on all tractors and self-propelled agricultural implements.

Motor vehicles are limited to a speed of 15 miles an hour when passing cattle on a public highway.

5. Farm Protection

FARM SECURITY ACT, R.S.S. 1965, c. 105. Amendments: 1966, c. 13; 1968, c. 22; 1970, c.20 and c. 67; 1972, c. 44; 1974-75, c. 18

Minister of Agriculture.

Protects certain mortgagors, purchasers and lessees of farm land.

The Act provides for the protection of certain mortgagors, purchasers and lessees of farm land, who have experienced a crop failure or low crop yield and who are involved in any agreement for sale or mortgage of farm land or in any share of crop lease collateral to a mortgage or agreement for sale of land. The rights of a vendor or mortgagee shall not in respect of the crop grown by the purchaser or mortgagor in the years 1976, 1977 and 1978 affect more than one-third of the crop produced in any of those years. This Act has priority over The Crop Payments Act.

PROVINCIAL MEDIATION BOARD ACT, R.S.S. 1965, c. 44. Amendments: 1973-74, c. 83; 1976, c.50.

Attorney General.

Facilitates negotiations between certain persons and provides for certain tax proceedings.

This Act provides for the establishment of a Provincial Mediation Board to perform such duties as the Lieutenant Governor in Council designates. If requested in writing by either of the parties, the board may attempt to settle disputes between a debtor and a creditor. The board has power to regulate certain provisions of The Tax Enforcement Act and The Landlord and Tenant Act. For purpose of conducting inquiries, the board shall have the powers conferred on commissioners under The Public Inquiries Act.

VII. MARKETING

1. General

NATURAL PRODUCTS MARKETING ACT, 1972, S.S. 1972, c. 83. Amendments: 1972, c. 122; 1973, c. 69; 1973, c. 106.

Minister of Agriculture.

Provides for the promotion, control and regulation in any and all respects of the marketing of natural products that are within the province, including the prohibition of such marketing in whole or in part.

“Natural product” means any product of agriculture or of the forest, lake or river, animals including poultry whether alive or killed, skins and pelts of fur bearing animals, meats, eggs, wool, dairy products, grains, seeds, vegetables, vegetable products, fruits and fruit products, honey, and any article of food, wholly or partially manufactured or delivered from any such product.

Provision is made for a Natural Products Marketing Council. Its duties include 1) advising the minister on all matters relating to the establishment and operation of boards, commissions and any agencies empowered to act under this Act; 2) being responsible for the operation and administration of boards and commissions; and 3) conducting or supervising votes on marketing plans.

Subject to provisions for a vote on the establishment of a marketing plan and the approval of not less than sixty percent of the producers, the Lieutenant Governor in Council may establish, amend or revoke plans for the marketing of any natural product within the province, constitute boards to administer such plans, and give those boards powers to effectively promote, regulate and control the marketing of any natural products that are within the province and to prohibit such marketing in whole or in part.

The Lieutenant Governor in Council may by order establish, amend and revoke plans for the promotion, control and regulation within the province of the marketing of any natural product, and may by order establish commissions to administer such plans and give those commissions powers enabling them effectively to promote, control and regulate the marketing of any natural products that are within the province. Powers of a commission are given.

A board or commission may co-operate with agencies of other jurisdictions. With the approval of the Lieutenant Governor in Council, a board or commission may perform any function or duty and exercise any power imposed upon it by or pursuant to a Canada or extra-provincial Act with reference to the marketing of a natural product.

PUBLIC HEALTH ACT, R.S.S. 1965, c. 251. Amendments: 1967, c. 55; 1969, c. 44; 1970, c.48; 1971, c. 40; 1971, c. 41; 1972, c.94; 1973-74, c.28; 1973-74, c.85; 1973-74, c.86.

Minister of Health

Sections 43 to 51 and certain regulations in Section 72 are relevant to agriculture. These provisions are outlined below.

Sections 43 to 51 inclusive consist of regulations respecting food. No person shall sell or offer for sale food, including meat and milk, which is injurious, tainted or spoiled. Pasteurization is required for all milk to be sold in cities, towns of over 1,000 population or in designated municipalities. The sale of milk from infected herds is prohibited. All creamery sites must be approved by the Minister. Health officials may inspect all food processing, manufacturing or dispensing establishments, including dairies, slaughter houses and water supplies, if food, milk or water therefrom is consumed by the public.

Provision is made in Section 72 for regulations regarding the situation, inspection, equipment, quarantining and sanitary management of market gardens, creameries, dairies, cowsheds and stables in connection therewith, including the testing of cattle for tuberculosis, infectious bovine abortion or any disease communicable to human beings; defining the standards of milk, cream and ice cream; governing the licensing by municipalities of owners of cows the milk from which is used for human consumption and of persons operating depots or dairies at which milk is treated, bottled or otherwise hauled in bulk; respecting the pasteurization of milk and the equipment and operation of pasteurizing plants and defining the process of pasteurization; the inspection, licensing, construction, equipment and maintenance, cleansing and disinfection of slaughterhouses and other places in which animals are killed or their meat prepared for food; and the preparation, retention, storage, transportation, displaying and sale of perishable foods and meat being sold or offered for sale for human consumption.

SALES ON CONSIGNMENT ACT, R.S.S. 1965, c. 390.

Attorney General

Concerns the duties of agents in the sale of products of the soil and other commodities.

For purposes of this Act a “mercantile agent” includes a broker or agent who negotiates and makes contracts for the sale of products of which he is not entrusted with the possession or control; a factor or agent who sells or disposes of products of which he is entrusted with the possession or control; and a jobber, or person whose normal business is buying or selling products in wholesale quantities, when handling or disposing of products on commission; and an agent of such broker, factor or jobber. The Act describes the duties which a mercantile agent shall perform when carrying on transactions with fruits and vegetables, any agricultural product or farm product except milk, cream and grain, and except livestock when sold in a public stockyard in Saskatchewan.

2. Crops

SASKATCHEWAN GRAIN MARKETING CONTROL ACT, R.S.S. 1965, c. 241. Amendment: 1972, c. 106

Minister of Agriculture.

Controls certain transactions in grain within Saskatchewan.

Except as permitted by the regulations of the Lieutenant Governor in Council, no producer shall sell or agree to sell grain or grain products situated in the Province of Saskatchewan for delivery within the province to any person other than the Canadian Wheat Board, and no person other than the Board shall purchase grain under similar conditions. Exceptions to this rule are sales to producers or to owners of live stock or poultry within the province.

The Lieutenant Governor in Council has power to impose floor prices on feed grains. This Act does not apply to sales or purchases of grain for delivery outside the province. The word "grain" in this Act is not defined but words in the Act are to have the same meaning as in The Canadian Wheat Board Act, where grain is defined to include wheat, oats, barley, rye, flaxseed and rapeseed.

SEED DEALERS ACT, R.S.S. 1965, c. 239. Amendment: 1972, c. 117.

Minister of Agriculture.

Concerns the regulation and licensing of seed dealers.

The purpose of this Act is to regulate and license seed dealers. It exempts farmers, ranchers and a person buying seed for his own use or selling seed that he has produced, or a person carrying on business as a merchant in the province and as an incidental part of the business selling seed to the public by retail sale only.

In respect of seed dealers, the Act provides for issuance of dealer licences, imposition of licence fees and inspection of dealer premises. By definition a "seed dealer" is a person who in the province offers by advertisement or otherwise to buy or sell seed direct from or direct to producers, or engages in the business of buying or selling seed direct from or direct to producers, or accepting seed on a consignment basis direct from producers.

The dealer must weigh the seed upon arrival, issue a receipt to the producer, sample the seed for future reference and insure it until producer ownership has been relinquished. The Act is intended to regulate transactions that take place wholly within the province; and nothing in this Act affects or regulates any transactions that are not subject to the legislative authority of the Saskatchewan legislature.

VEGETABLE AND HONEY SALES, R.S.S. 1965, c. 245.

Minister of Agriculture.

Regulates the grading and sale of vegetables and honey within Saskatchewan.

For purposes of this Act "vegetable" means potatoes and any other plant designated as a vegetable by the Lieutenant Governor in Council, which is sold, offered for sale or held in possession for sale in Saskatchewan. The item does not include seed potatoes certified under The Destructive Insect and Pest Act (Canada).

The Lieutenant Governor in Council may make regulations classifying and establishing grades for vegetables and honey; providing for inspection, grading, packaging, packing, marking, shipping, advertising and selling of produce within Saskatchewan; respecting the cleanliness and sanitation of all premises in which honey is assembled, graded or packed, and, generally for carrying out the provisions of the Act. Provision is made for the Appointment of inspectors and their powers are described.

3. Livestock

DAIRY PRODUCTS ACT, R.S.S. 1965, c. 233. Amendments: 1967, c. 47; 1968, c. 17; 1973-74, c. 19; 1976, c. 10.

Minister of Agriculture.

Regulates and controls the manufacture of dairy products.

Dairy products consist of milk, cream, butter, cheese, ice cream, condensed milk, evaporated milk, milk powder, dry milk, malted milk, sherbet or any other product manufactured wholly or mainly from milk. Regulations may be made defining grade standards and minimum price differentials between grades; providing for the issue of certificates of quality and for the pasteurization of milk and cream; prescribing conditions for the manufacture, sale, weighing, packaging and branding of dairy products; and prescribing conditions concerning the production, handling, storage and transportation of milk and cream.

The buildings, premises and equipment of every patron and dairy manufacturing plant must be kept in a sanitary condition. A permit is required to establish a dairy manufacturing plant. All operators and patrons must be licensed. No person shall manufacture, sell or have in his possession for sale any imitation dairy product. An imitation dairy product does not include margarine or any product intended for use as a dessert topping or coffee whitener.

LIVE STOCK AND LIVE STOCK PRODUCTS ACT, R.S.S. 1965, c. 212. Amendments: 1967, c. 43; 1969, c. 30

Minister of Agriculture.

Provides for the regulation of live stock and live stock products.

Under this Act "live stock" means horses, cattle, sheep, swine, fur bearing animals raised in captivity, live poultry and bees. "Live stock products" means meat, raw hides, raw furs, dressed poultry, eggs, wool and honey in any form. Regulations which the Lieutenant Governor in Council may make include 1) fixing and defining grade standards of live stock and live stock products; 2) prescribing the manner and conditions of grading, inspection, packing, marketing, transportation, delivery, shipment, advertisement, purchase and sale of live stock and live stock products as well as the size, kind, branding, marking and labelling of packages or containers of live stock products; 3) prescribing the manner in which stockyards shall be conducted, equipped, maintained and operated; 4) classifying and licensing persons who raise and sell live fur animals and prescribing the conditions under which such animals may be raised and sold; 5) prescribing minimum standards of cleanliness and sanitation for live stock boarding stables; 6) prescribing the manner of reporting for live stock killed or injured by a train or motor vehicle; and 7) prescribing the manner in which injured or sick animals may be destroyed.

MARGARINE ACT, R.S.S. 1965, c. 235. Amendments: 1972, c. 73; 1973-74, c. 60.

Minister of Agriculture.

Defines margarine; regulates its manufacture and marketing.

Margarine is any food substance, other than butter, that is not mixed with any other substance, of whatever origin, source or composition that is prepared for the same uses or as a substitute for butter but does not include any substance that is declared by the regulations not to be a food substance for the purpose of this clause. The package containing margarine must bear the word "margarine" or the trade name of the contents and a list of the ingredients with the percentages of each. Persons manufacturing margarine or selling it by wholesale must be licensed.

MILK CONTROL ACT, R.S.S. 1965, c. 234. Amendment: 1972, c. 77.

Minister of Agriculture.

Controls the production, supply, distribution and sale of milk.

A Milk Control Board is created to make regulations and orders respecting the production, supply and distribution of fluid milk and, more particularly, to require all distributors and processors to be authorized by the board to carry on business; to prescribe the terms and conditions upon which milk may be received, handled, stored and distributed; to fix price schedules for producers or distributors; to require distributors to keep certain records and furnish certain reports; and to license processors, distributors and sellers of milk. The Board may conduct hearings and provision is made for enforcement of its orders.

Subject to the approval of the Lieutenant Governor in Council, the Board may co-operate with, and enter into agreements with, the Government of Canada or of any other province of Canada, or with any agency of those governments.

VIII. PRODUCTION

1. General

GRAIN AND FODDER CONSERVATION ACT, R.S.S. 1965, c. 240.

Minister of Agriculture.

Authorizes the conservation of grain and fodder.

The Minister of Agriculture may be authorized to provide accommodation for the storage of grain for use in emergency as seed or for maintenance of livestock when crop yields are abnormally low. He may arrange for other persons to receive and store hay and fodder, rent land and equipment, and purchase seed and supplies.

Rural municipalities may also provide storage accommodation, receiving and storing grain for farmers, and issuing receipts in return. Grain so stored is free from any lien and may not be seized under legal process. The grain stored by a municipality must be insured to its full value against damage or loss from fire, tornado, theft and other hazards. The Minister of Agriculture pays such share of the insurance premium as is agreed between himself and the municipal council.

2. Crops

NOXIOUS WEEDS ACT, R.S.S. 1965, c. 236. Amendments: 1967, c. 48; 1972, c. 85.

Minister of Agriculture.

Provides authority for the control and destruction of noxious weeds.

It is the duty of every owner or occupier of land to destroy noxious weeds thereon and prevent their spread. Provision is made for the appointment of municipal weed inspectors who may enter upon land and order the occupants to take reasonable action to destroy weeds. If they fail to do so, the inspector may have the work done and the municipality may recover the expense from the owner in the same manner as taxes. There are prohibitions and orders respecting noxious weeds on any machine or implement entering or travelling on a road. A municipality may enter into agreements with owners or occupiers of land for the eradication of specific types of weeds. The provincial Director of Plant Industry is charged with the duty of advising the public on matters relating to the destruction of noxious weeds. The Act contains a list of weeds considered to be noxious.

PEST CONTROL ACT, R.S.S. 1965, c. 243.

Minister of Agriculture.

Provides for the control and destruction of certain pests.

The Act authorizes the destruction of pests and the crops contributing to their spread and any infected seeds, roots, tubers, etc. Municipalities may enter into agreements for joint action on pest problems, may levy taxes to cover certain costs, and appoint officers to enforce the Act. Special provisions apply to the service of an order for the destruction of pests and to the purchase and distribution of insecticides by the Department of Agriculture. This Act is to be administered jointly in any local improvement district by the Department of Municipal Affairs and the Department of Agriculture.

PEST CONTROL PRODUCTS (SASKATCHEWAN) ACT, 1973, S.S. 1973, c. 72.

Minister of Agriculture.

Regulates and controls the use, distribution and handling of pesticides.

The Act contains prohibitions 1) against selling, etc., pesticides that do not meet certain standards; 2) against certain uses of pesticides; 3) against applying pesticides to a body of water without a permit; 4) against disposal, etc., of pesticides or containers; 5) against cleansing pesticide apparatus in an open body of water; and against carrying on a business without a permit. The requirements for persons keeping, storing or transporting a pesticide are given.

The Minister may, permanently or for such length of time as he considers necessary, prohibit or restrict the sale, handling, use or distribution of any crop, food, feed, animal, plant, water, produce, product or other matter that he considers to be contaminated by a pesticide; or he may order it to be destroyed or rendered harmless. Inspectors may at any reasonable time enter upon and inspect any land, premises other than a dwelling house, vehicle, equipment, record, document or other property. They may inspect or take samples of or extracts from any soil, water, food, feed, crop, animal, pesticide or other substance and have it subjected to laboratory analysis or other examination. A dwelling house may also be entered and searched provided that a judge has issued a search warrant.

SEED-CONTROL AREAS ACT, R.S.S. 1965, c. 238.

Minister of Agriculture.

Permits the establishment of seed-control areas to facilitate the growing of pure seed or field crops, vegetables and tubers.

Any five occupiers (persons in actual occupation of and using land, whether as owner, purchaser, lessee or otherwise) of an area of land may petition to have the area designated as a seed-control area. This petition must contain a description of the land; specify the name of any kind or variety or grade of seed or crop as a seed or crop that may be grown or the growing of which may be prohibited within the proposed seed-control area; and state the names of three persons whom the petitioners desire to be appointed as members of the seed-control committee of that seed-control area, accompanied by a written consent signed by each of these three persons signifying their willingness to act. Upon receipt of this petition signed by not less than seventy percent of the occupiers, the Lieutenant Governor in Council may designate the area as a seed-control area; prescribe any kind or variety or grade of seed or crop as a seed or crop that may be grown within the seed-control area; and prohibit the growing of any designated kind or variety or grade of seed or crop within the seed-control area. The seed-control committee is empowered to enforce this Act. To remove the danger of contamination of or injury to a crop, the committee has power to order the destruction of any crop of a prohibited kind or variety or grade of seed.

3. Livestock

ANIMAL PROTECTION ACT, 1972, S.S. 1972, c. 5. Amendment: 1976, c. 5.

Minister of Agriculture.

The Act is for the protection of animals in distress and for the protection of certain animals from dogs.

"Animal" includes birds, fish and reptiles. Part I of the Act is concerned with the protection of animals in the state of being in need of proper care, food or shelter or of being injured, sick, abused, in pain or suffering or being subject to undue or unnecessary hardship, privation or neglect.

Part II deals with the protection of certain domestic animals from dogs. It provides that any person may kill a dog in the act of pursuing, worrying or destroying cattle, horses, pigs or poultry elsewhere than on the enclosed land occupied by the owner of the dog. When complaint is made that a dog has worried, injured or destroyed any cattle, horses, pigs or poultry outside of the enclosed land occupied by the owner of the dog, the justice of the peace may order the dog destroyed. No order or fine under this Act bars an action by the owner or possessor of cattle, horses, pigs or poultry for the recovery of damages for injury done thereto by a dog.

APIARIES ACT, 1973, S.S. 1973, c. 4.

Minister of Agriculture.

Provides for the prevention and suppression of disease among bees.

Every beekeeper must hold a subsisting certificate of registration. Without permission, the importation of bees on comb, brood combs, honeycombs, or any second-hand part of beekeeping equipment used in any apiary outside Saskatchewan is prohibited. Other sections of the Act govern the disposal of bees, etc., quarantine and sanitation. Inspectors shall, without warrant, have free access to any place or premises, other than a dwelling, where any stored honey, bees or beekeeping equipment is kept. A beekeeper who is aware of the existence of disease shall not conceal from the Minister or his agent the fact that the disease exists. Owners or persons in charge of diseased bees may be ordered to destroy them as well as disease-infected equipment, or to take such steps to eradicate the disease as may be necessary in the opinion of the Minister or his agent.

ARTIFICIAL INSEMINATION (ANIMALS) ACT, R.S.S. 1965, c. 216. Amendment: 1967, c. 45.

Minister of Agriculture.

Provides for the establishment and licensing of artificial breeding service centres and prohibits the use of unapproved semen.

BRAND AND BRAND INSPECTION ACT, R.S.S. 1965, c. 208. Amendments: 1967, c. 41; 1968, c. 72.

Minister of Agriculture.

Provides for the allotment of brands to specific owners to identify live stock.

Regulations governing the allotment, duration, ownership and transfer of brands are outlined in this Act. The Act also contains provision for declaring portions or all of the province as an area from which horses and cattle may not be shipped without inspection, and outlines records which must be kept by those shipping stock from such areas. The mark of a registered brand on live stock is, until cancellation of the brand, prima facie evidence of ownership by the owner of the brand. Any person dealing in and selling the flesh of meat animals to the public by retail sale is required by this Act to keep records with respect to the source of animals and the age, sex and brand, if any, of the animal. The Act also requires records to be kept by dealers in hides.

CATTLE MARKETING VOLUNTARY DEDUCTIONS ACT, 1970, S.S. 1970, c. 7. Amendment: 1972, c.12.

Minister of Agriculture.

Concerns voluntary deductions made from the marketing of cattle.

Every dealer who purchases cattle must make a deduction from the purchase price to a maximum of 15 cents per head. Every owner of cattle who delivers cattle to places outside the province must either make the deduction himself or instruct the purchaser to do so. Such deductions are to be forwarded to the Saskatchewan Department of Agriculture and placed in a special trust account. The Cattle Marketing Voluntary Deductions Act Board is to be appointed by the Minister. It is to use the special trust account to further the development and improvement of the cattle industry in the province. Any person may claim a refund of the deductions made from his cattle marketings by filing a claim with the Minister not later than January 31 for the previous calendar year.

DISEASES OF ANIMALS ACT, 1966, S.S. 1966, c. 25. Amendment: 1972, c.36.

Minister of Agriculture.

Concerns the prevention and control of diseases among animals.

Under this Act authority is given to make regulations covering 1) the disposition of diseased animals; 2) the vaccination of animals, 3) the quarantining of premises or areas, 4) the inspection of animals exposed for sale in stockyards or other public places, 5) the prohibition or regulation of the sale of diseased animals, 6) the inspection of the flesh of animals slaughtered for human consumption, 7) the disinfection of vehicles used to transport animals, and 8) the keeping of records by auctioneers and dealers of transactions in respect to animals not sold for slaughter.

Provision is made for the appointment of veterinarians as inspectors. Owners may receive compensation for animals that have died or been destroyed in preventing or controlling any disease. They may also be compensated for expenses incurred by them in disposing of such animals and in disinfecting premises where the animals were kept.

The Minister may cause animals in stockyards to be inspected in order to prevent the sale of diseased animals from stockyards except for the purpose of their immediate slaughter.

FUR ACT, R.S.S. 1965, c. 357. Amendment: 1967, c.79.

Minister of Tourism and Renewable Resources, Minister of Northern Saskatchewan.

Covers the protection, preservation and production of fur animals.

Fur farmers must hold special permits issued by the Minister. No person, knowing that he is within one-half mile from a private fur farm, shall discharge a rifle of larger than .22 of an inch caliber or a shot gun between March 1 and May 31 in any year. All fur dealers must be licensed and pay a royalty on each skin or pelt purchased. Skins and pelts taken, raised or received by persons in Saskatchewan in the course of their business may, by arrangement, be delivered to the Department of Natural Resources for sale on behalf of their owners.

HOG MARKETING DEDUCTIONS ACT, 1971, S.S. 1971, c. 14.

Minister of Agriculture.

Concerns refundable deductions on the marketing of Saskatchewan hogs.

This Act provides funds for the development and improvement of the hog industry in Saskatchewan. There is to be a special trust fund composed of deductions made from receipts for all slaughter hogs sold by producers in the province. The exact deduction, not to exceed 10 cents per slaughter hog, is to be determined by the Hog Marketing Deductions Act Board which is established to use the special trust fund for projects that promote the hog industry. A provision is made that a producer who so wishes may claim a refund of his contributions to the fund if he makes a claim within 31 days after the end of the calendar year for which the refund is claimed.

Note: As of March 5, 1975, this Act had not been proclaimed and, therefore, was not in force.

HORNED CATTLE PURCHASES ACT, R.S.S. 1965, c. 213. Amendments: 1967, c.44; 1970, c.29; 1971, c.16; 1972, c.51.

Minister of Agriculture.

Provides for the collection and disposition of deductions made on the purchase of cattle with horns.

Every dealer who purchases cattle with horns, other than purebred cattle being purchased for breeding purposes, must buy them at the current market price for cattle which are polled or dehorned, less two dollars a head. The latter sum is to be remitted to the Minister of Agriculture. The money so acquired, after paying for the administration of this Act, is to be employed in improving the cattle of the province. Projects for improvement may be recommended by the Horned Cattle Purchases Act Advisory Committee. Inspectors with the powers of constables may be appointed to inspect cattle for the purpose of this Act.

OPEN WELLS ACT, R.S.S. 1965, c. 359.

Minister of Agriculture.

Prohibits open wells and other things dangerous to stock.

No person shall have on his premises an open well or other excavation that is dangerous to stock and accessible to the stock of any other person. No person shall have or store on his premises any kind of threshed grain which is accessible to the stock of any other person that may come or stray upon the premises.

SHEEP PROTECTION AND DOG LICENSING ACT, R.S.S. 1965, c. 355.

Minister of Agriculture.

Provides for the protection of sheep and the licensing of dogs.

To afford protection of sheep in municipalities, any person is empowered to kill a dog that is found killing or pursuing sheep, or that is found at large at any time and not under proper control upon premises where sheep are habitually kept. The municipality in which the sheep are killed or injured is liable to the owner of the sheep for fifty percent of the amount of the damage as assessed by sheep valuers appointed by the municipal council. If the owner of the dog is known, he may be ordered to kill the dog and to pay the municipality the amount paid by this body to the owner of the sheep. The same general provisions apply in Local Improvement Districts.

STRAY ANIMALS ACT, R.S.S. 1965, c. 210. Amendments: 1970, c. 69; 1971, c. 51.

Minister of Agriculture.

Concerns the restraining of animals from running at large.

Throughout the province, no stallion over one year old, no bull over five months old, and no boar or ram over four months old is allowed to run at large.

In urban municipalities no animals are allowed to run at large. In rural municipalities, the council may by bylaw define the portion of the municipality and determine the period of the year in which animals may not run at large, and also determine the maximum number of each kind of animal that an owner may graze on unfenced lands not owned or leased by him.

In the Northern Saskatchewan Administration District and local improvement districts, animals may be allowed to run at large, but the Act provides for the organization of herd districts.

The Act also deals with distraining and impounding animals; duties of pound keepers; sale of impounded animals; disposal of strays where no pound is available; and lawful fences and trespass. No animal from an infected herd is to be allowed to run at large and an animal that has died from an infectious disease must be buried or burned without the skin having been removed.

VETERINARY SERVICES ACT, R.S.S. 1965, c. 217. Amendments: 1970, c.80; 1972, c.145; 1973-74, c. 123.

Minister of Agriculture.

Permits the provision of veterinary services in rural areas.

A rural municipality by itself or in co-operation with one or more contiguous rural municipalities or local improvement districts may establish a Veterinary Service District. In each district there is to be a veterinary service board. Its objectives are 1) to render financial or other assistance to enable and encourage a veterinarian to practise in the district, 2) to hold meetings for discussions relative to the operation of the district, and 3) to promote animal health through veterinary services and other necessary means.

Every municipality wholly or partially within a district may annually pay to the board of a district a sum deemed by the council to be necessary for the purposes of the board. The aggregate of all annual grants to a board by municipalities and the province is not to exceed \$30,000.

WOLF AND COYOTE BOUNTY ACT, R.S.S. 1965, c. 358.

Minister of Tourism and Renewable Resources, Minister of Northern Saskatchewan.

Provides for the payment of wolf and coyote bounties.

For the purposes of this Act "coyote" means the prairie wolf and includes the immature young of such animal, and "wolf" means the timber wolf and includes the young of such animal.

The Lieutenant Governor in Council may make regulations authorizing the payment of a bounty on any wolf or coyote killed, trapped or taken in Saskatchewan; governing the proof to be furnished by persons claiming bounties; prescribing the conditions on which bounties shall be paid; and authorizing the Department of Agriculture and the Department of Municipal Affairs each to contribute a portion of all bounties paid under this Act.

SASKATCHEWAN

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1. ADMINISTRATION

AGRICULTURAL SERVICE BOARD ACT, RSA 1970, c. 7. Amendments: SA 1972, c. 96; 1973, c. 1; 1974, c. 2; 1975 (2) c.40.

Minister of Agriculture.

Provides for the establishment of Agricultural Service Boards and appointment of agricultural fieldmen to initiate and implement programs dealing with weeds, pests, soil and water control in municipalities etc.

The board must present at the annual meeting of the rate payers a summary of its activities for the preceding year. The county council must appoint a county agricultural committee. Its powers are detailed. The functions, duties and powers of the District Agriculturist are described.

The Minister is empowered to enter into and carry out an agreement with the council (a) for assistance in soil and water conservation (b) for control of noxious weeds, (c) for the control of any livestock disease (d) to implement any other agricultural policies considered necessary. These agreements may provide for financial assistance by the government.

An agricultural fieldman is (a) the municipal inspector under the Weed Control Act, (b) the officer of the municipality under the Agricultural Pest Act, 1974, and (c) the soil conservation officer under the Soil Conservation Act.

Where a board finds that land is impoverished or in the process of becoming impoverished, or may become a menace to the community, it may declare the land to be subject to supervision, rehabilitation or reclamation. Procedures are described.

When a person refuses to comply with an order or bylaw, the Minister of Municipal Affairs or the Council or the Municipality may apply to the district court for an order to ensure compliance and to restrain that person from obstructing any person from carrying out any duties or functions under that order or bylaw.

Under section 20.1 the Minister of Municipal Affairs or the Council may apply to the district court for an order permitting the Board to take remedial action to ensure that the land does not remain or become a menace to the community.

The Minister is also powered to make loans to municipal districts at an interest rate of five percent per annum to carry out the provisions of this Act.

DEPARTMENT OF AGRICULTURE ACT, RSA 1970, c. 94. Amendments: SA 1972, c. 29; 1974, cc. 22, 39; 1975, c.10

Minister of Agriculture.

Creates the Department of Agriculture and describes the powers, functions and duties of the Minister and the powers of the Lieutenant Governor in Council.

The Minister may engage consultants and establish advisory boards, etc. He may collect and disseminate information and statistics relating to matters under his jurisdiction. He may make grants, and make regulations relating thereto. He may also make regulations for the establishment, operation and administration of any services provided. Under section 12.1 the Minister may make grants and regulations relating thereto. The Minister may delegate to any employee any power, duty or function required to carry out any agreement entered into by or on behalf of the Minister, other than the power to make regulations. He may also authorize any employee to enter into an agreement on behalf of the Minister

The Minister may acquire property (a) for the purpose of withdrawing from agricultural use land that is of marginal quality, too small, too isolated or unsuitably located; or (b) to assist the owner of farm lands to withdraw from farming through a retraining or education up-grading program, or for reasons of health or age, or (c) for the purpose of implementing or carrying out any agreement or arrangement between the Government of Canada and Alberta, or (d) for any purpose of any program or development project relating to the conservation, utilization or management of natural resources.

The Minister is empowered to enter into agreements for testing farm machinery. An agreement may include a provision for the making of contributions by the Government of Alberta towards the cost of carrying out the purposes of the agreement.

The Lieutenant Governor in Council may make regulations providing for land development loan guarantees. He may make regulations providing for guarantees by the Government of the principal and interest or principal or interest in respect of loans made for the purpose of undertaking or developing projects directly beneficial to the agriculture industry.

MUNICIPAL GOVERNMENT ACT, RSA 1970, c. 246.

Amendments: 1971, cc. 1, 20, 36, 49; 1972, cc. 20, 89, 93; 1973, cc. 41, 54, 61, 69, 83, 85; 1974, cc. 27, 34, 41, 62, 63; 1975, cc. 10, 12, 13, 15, 16.

Minister of Municipal Affairs.

Imposes or confers upon Municipal councils certain powers and duties that are of interest to agricultural authorities.

Municipal councils may expropriate land under the Expropriations Act.

Municipal councils may pass bylaws (1) controlling nuisances and pests, (2) controlling animal diseases, (3) controlling animals, (4) controlling sanitation; and providing for grants to veterinarians and implementing an agreement for the construction and operation of seed cleaning plants, and such other programs as can be entered into under the Act.

The council of a municipal district can pass a bylaw authorizing the making of such advances as are considered necessary to supply any commodities (a) for the next ensuing spring seeding season, (b) for the sustenance of stock, (c) for any other good and sufficient reason, to farmers who because of adverse conditions are unable to procure the required commodities from their own resources. The council may pass a bylaw for the purpose of accepting the terms of the proposed agreement on weather modification services. This bylaw must be submitted to a vote of the proprietary electors of the areas of the municipal district. The Lieutenant Governor in Council may by order amalgamate one or more municipalities with all or part of the lands within the boundaries of one or more rural municipalities to form a new municipality.

SPECIAL AREAS ACT, RSA 1970, c. 349.

Amendment: SA 1972, c. 96; (1975) (2) c.10

Minister of Municipal Affairs.

Provides for the administration of all public land within a special area and outlines the powers, functions and duties of the Minister, Lieutenant Governor in Council and special area boards.

The Minister may provide for an advisory committee to confer with and advise the board on matters affecting that special area. The Lieutenant Governor in Council is authorized to appoint a Special Areas Board with administrative duties and powers assigned by the Minister.

The Minister may prohibit dealing in land in any manner that he considers detrimental to the residents. He may lease public lands at such rentals as seem fair and equitable. He may set aside lands for community purposes such as grazing reserves, hay reserves, water reserves and irrigation, and make such administrative provisions as he considers advisable.

The Minister may order and require any owner or occupant of lands to adopt such methods of farming or grazing, or farming and grazing, as he considers necessary to prevent soil drifting, water erosion, over-grazing or any hazard that might jeopardize the economic security of the residents of the area.

The Minister has the power to promote approved farm cultural practices and efficient range management, and such community effort and enterprise as might contribute to greater economic security of residents of the special area. Provision is made for the enforcement of orders made to owners and occupants of land in regard to farming methods to be followed. Other powers of the Minister are described.

II. AGRICULTURAL SOCIETIES AND EDUCATION

AGRICULTURAL SOCIETIES ACT, RSA 1970, c. 8 Amendments: SA 1972, c. 6; 1973, c. 2.

Minister of Agriculture.

Provides for the organization or continuance of agricultural societies. Provides for the making of regulations for the guidance of societies and governing the conduct and management of agricultural institute meetings, exhibitions and any other authorized undertakings.

The objects of a society are to encourage improvements in agriculture, horticulture, homemaking, manufactures and the useful arts. The manner of organization is described. Except with the consent in writing of the Minister, a new society may not be formed unless the chief place of business for the proposed society is at least 25 miles distant from any existing society in the Province.

The Minister may appoint a superintendant of Agricultural Societies and other officers to carry out the provisions of this Act. Societies have the power to make bylaws and regulations. No society, company or board of management may hold a fair or exhibition within 50 miles of the place where an existing society company or board of management regularly holds a fair or exhibition unless (a) it has the consent in writing of the Minister or (b) it held its fair or exhibition at that place in the year 1948. The union of societies is permitted. Grants may be paid to societies providing the requirements of the Act are met. Grants may also be made available for capital purposes for the aid of societies.

Where a society or company organized for the purpose of holding an exhibition borrows money for capital purposes, the province of Alberta may guarantee the payment of principal and interest.

AGROLOGISTS ACT, RSA 1970, c. 10 Amendment: SA 1971, c. 1.

Alberta Institute of Agrologists.

Provides for the incorporation of the Alberta Institute of Agrologists and sets down its manner of organization and rules for its operation.

The Act outlines the organization, membership requirements, examination, registration and disciplinary powers of the Institute. There is provision for registration with the Institute of an agrologist in training. The examination of candidates for admission to the Institute is under control of the co-ordination council. No person may assume the title of agrologist, or lead the public to believe he is one, unless he is registered under this Act. Veterinarians and pharmacists are exempt from the provisions of the Act.

VETERINARY SURGEONS ACT, RSA 1970, c. 383. Amendment: SA 1971, c. 1

Minister of Agriculture.

Incorporates the Alberta Veterinary Medical Association.

The membership of the association must consist of those persons who hold a certificate of registration as Veterinary Surgeons. No person may practice Veterinary Medicine or hold himself out to be a Veterinary Surgeon unless he is registered under this Act and not suspended from practice.

The Act outlines the organization, objects, powers and duties of the association and the qualifications required for registration as a member.

WOMEN'S INSTITUTE ACT, RSA 1970, c. 395.

The Alberta Women's Institutes.

Provides for the formation, incorporation and operation of Women's Institutes in the manner set out in this Act.

The objects of the Institutes must be the improvement of social conditions in rural and other communities by means of (a) the study of home economics, child welfare, prevention of disease, local neighbourhood needs, industrial and social conditions, (b) the establishment of the Institutes as social and educational community centres and a provision of a welcome to new settlers in the community, (c) the encouragement of agriculture and improvement of agricultural conditions, and (d) the holding of short course schools, exhibitions etc. The Act outlines the organization, membership and meeting requirements of the Institutes.

III. ASSISTANCE

1. Financial

ALBERTA AGRICULTURAL RESEARCH TRUST ACT, RSA 1970, c. 4,

Deputy Minister of Agriculture.

Incorporates the Alberta Agricultural Research Trust.

The objects of the Trust are to seek and receive property (including money) and to hold, use and administer such property for the purpose of provincial expansion of applied and fundamental agricultural research.

The Trust is empowered to apply its property or extend the income therefrom for such purposes as might not otherwise be readily met out of public funds. The Deputy Minister of Agriculture is the Chairman of the group of 12 Trustees appointed to manage the fund.

AGRICULTURAL DEVELOPMENT ACT, SA 1972, c. 5. Amendment: SA 1974, c. 1; 1975 (2) c. 39

Minister of Agriculture.

Establishes the Alberta Agricultural Development Corporation and authorizes agricultural development loans to primary producers of agricultural products, the owners of associated business and agricultural industries.

The Alberta Agricultural Development Corporation was established under this Act as an agency of the crown in the right of Alberta and was established to provide assistance of both a financial and an educational nature with a view to improving the quality of rural life in Alberta, helping to preserve the family farm and making rural centers into more viable entities. The function of the Corporation is not to replace other lenders but to complement their programs and meet the legitimate credit needs of Albertans involved in the agricultural industry who are unable to borrow from other sources at reasonable terms and conditions.

The Act provides the authority for the establishment of the Agricultural Development Revolving Fund with a limit on the amount of advances outstanding at any time not in excess of \$150,000,000. Repayment terms on loans must not exceed 40 years.

The Act provides the authority for the establishment of the Agricultural Development Revolving Fund with a limit on the amount of advances outstanding at any time of \$150,000,000. Repayment terms on loans must not exceed 40 years.

Where a person is over 55 years of age or is physically handicapped, the Corporation may enter into an agreement with that person to purchase his farm property for cash or on an annuity basis on terms and conditions prescribed by the regulations.

The corporation may make loans from the fund for (a) purchasing land; (b) consolidating outstanding liabilities; (c) constructing, altering, repairing or extending buildings; (d) making permanent improvements to increase productive value of land; (e) purchasing agricultural implements or farm machinery; (f) purchasing livestock; (g) maintaining adequate operating capital; (h) establishing, developing, or maintaining secondary agricultural industries; (i) any purpose approved by the corporation related to the establishment or maintenance of a farm unit.

The Corporation may guarantee the principal amounts together with the interest on loans made to primary producers of agriculture products, owners of associated businesses or agricultural industries for the same purposes as set out above.

This allows the Corporation to promote and maintain agri-business in rural communities and provide, through other lending institutions, an accessible source of funding for primary producers to a maximum of \$500,000.

The corporation may increase the amount of an existing loan or guarantee where (a) the existing loan or guarantee is then in excess of \$500,000; (b) the increase does not exceed ten percent of the existing loan or guarantee; (c) the increase is made once only in respect of any existing loan or guarantee. This allows the Corporation to promote and maintain agri-business in rural communities and provide, through other lending institutions, an immediately accessible source of funding for primary producers to a maximum of \$500,000 for all purposes set out above except for consolidation of liabilities. Guarantees for consolidation of liabilities and for amounts greater than \$500,000 can be requested by direct application to the Corporation.

Any person who is the owner or operator of a feed lot and who accepts livestock for entry onto the feed lot premises, other than livestock purchased directly from a market where the livestock has been inspected, must notify the supervisor or local inspector within 24 hours after the livestock has entered onto the premises.

An inspector, upon production of his badge or certificate of appointment, may at any reasonable time search without a warrant any land, whether fenced or not, for the purpose of exercising or performing any of his powers and duties under this Act.

The Corporation may make grants or provide other incentives as prescribed by the Lieutenant Governor in Council to achieve the purposes of this Act.

There is provision for agreements with the Government of Canada that will make available to the Government of Alberta money to be used for the purposes of this Act.

ALBERTA OPPORTUNITY FUND ACT, SA 1972, c. 11 Amendments: SA 1973, c. 60; 1974, c.64; 1975 (2) c.42

Ministry of Industry and Commerce.

Establishes the Alberta Opportunity Fund to a limit of \$100,000,000 and creates the Alberta Opportunity Company as an agent of the Crown, to promote the development of resources and the general growth and diversification of the economy of Alberta.

The powers and functions of the board are described. A loan or guarantee made under this Act may not exceed \$500,000 except by order of the Lieutenant Governor in Council. The board must appoint a loans committee. Guidelines for its operation are enumerated.

The company may make direct loans to commercial enterprises or their owners, and it may guarantee repayment of loans made to commercial enterprises or their owners by banks. Other general powers of the company are described. Authority to make the necessary regulations is provided.

FARM HOME IMPROVEMENTS ACT, RSA 1970, c. 135 Amendment: SA 1972, c. 39

Minister of Agriculture.

Provides government guarantee of loans made to improve the home of a farmer situated on a farm.

Subject to this Act, the Government of Alberta guarantees to the bank the amount of any loss sustained on the loan up to 50 percent of the amount of the loss. This guarantee applies only where the principal of the loan, together with the amount owing in respect of other loans made to the farmer and guaranteed under this Act, does not exceed \$5,000. The rate of interest charged by the bank on the loan must not exceed one percent per annum over and above the bank's prime lending rate at the time the loan is made. Home improvements do not include household furnishings, electrical appliances or other things not affixed to the home. The Lieutenant Governor in Council is empowered to make the necessary regulations.

FEDERAL-PROVINCIAL FARM ASSISTANCE ACT, RSA 1970, c. 140. Amendment: SA 1972, c. 40.

Minister of Agriculture.

Enables the province of Alberta to obtain the benefits of any arrangements or proposals of the Government of Canada relating to specified matters.

The Minister of Agriculture is empowered to enter into agreements relating to any or all of the following matters: (a) farm or other land use and conservation, including irrigation and water development; (b) farm credit; (c) crop insurance; (d) rural development projects; (e) the organization and use of workers for farming and related industries; and he may obligate the Province to the extent considered necessary to obtain the benefits.

For any agreement requiring a modification or amendment of any existing legislation in force in Alberta, agreement may be made subject to validation at the next session of the Legislature.

FEEDER ASSOCIATIONS GUARANTEE ACT, RSA 1970, c. 141. Amendments: SA 1974, c. 3.

Minister of Agriculture.

Provides government guarantee of loans to the members of Feeder Associations.

The liability of the province under any guarantee must be restricted to an amount not exceeding 25 percent of the aggregate amount advanced under the loan in respect of which the guarantee is given. A loan in respect of which a guarantee is given under this Act must be repaid on the expiration of 12 months after the loan is made, or such shorter period of time as may be agreed upon between the association and the lender. The Minister may prescribe the total amount of borrowings under this Act.

HAIL AND CROP INSURANCE ACT, RSA 1970, c. 164. Amendment: SA 1973, c. 28; 1976, Bill 21 Passed May 2, 1976

Minister of Agriculture.

Creates the Alberta Hail and Crop Insurance Corporation and sets down the requirements for its operation. It also permits an agreement with the Government of Canada pursuant to the Crop Insurance Act (Canada).

The objects of the Corporation are to carry on (a) the business of hail insurance in accordance with part II, and (b) the business of crop insurance in accordance with part III.

Under Part II the powers of the corporation are described. Not later than June first in each year the corporation must (a) designate hail insurance areas and insurable crops for that year; (b) fix the maximum amount that will be payable in respect of loss of any designated crop; (c) fix the maximum amount that will be payable to any one applicant and (d) fix the rate to be paid by applicants for insurance under this Act.

In no case will applications for insurance become effective before 12 Noon of the day following the date upon which the application was made. When any crop insured under this Part is damaged by hail, a notice of claim must be sent by registered mail within three days after the date upon which the damage occurred. The corporation is not permitted to pay any claim in respect of any insurance effected by the corporation unless notice of the claim is given before the 6th day after the date on which the policy expires. No money payable by the corporation for hail damage is subject to garnishment, attachment, seizure or other legal process.

Part II applies to crop insurance and does not apply to hail insurance. The powers of the corporation to engage in the business of all-risk crop insurance on insurable crops are described. A crop insurance fund is created. Where the Board of Directors is satisfied that there is general interest in the establishment of a plan of all-risk insurance, the Board may by order (a) declare a voluntary all-risk insurance plan to be in operation and (b) designate the area in which the plan is to be in operation. The Board has the power to terminate contracts if participation is unsatisfactory in the designated areas.

2. Relief and Aid

AGRICULTURAL RELIEF ADVANCES ACT, RSA 1970, c. 6. Amendment: SA 1975 (2), c. 10.

Designated Member of the Executive Council.

Minister of Municipal Affairs.

Provides authority for and guarantee of borrowings for the purpose of furnishing to necessitous farmers seed grain, fodder, feed grain, fertilizer, fuel oil and lubricating oil.

Every municipality must make provision for supplying to necessitous farmers such commodities as are authorized to be supplied. Money borrowed for the purchase must be paid within 12 months of the borrowing. The amount of seed grain that may be purchased and distributed to an applicant in any one year is limited and directly related to the number of acres in condition for seeding. The upper limit is sufficient seed for 450 acres.

The remaining provisions cover advances, security for advances and enforcement of security.

DISASTER SERVICES ACT, SA 1973, c. 69.

Designated member of the Executive Council.

Creates the Alberta Disaster Services Agency and outlines the powers of various jurisdictions.

Upon the making of a declaration of emergency and for the duration of the state of the emergency, the Minister may cause the evacuation of persons and removal of livestock and personal property from any area of Alberta which is or may be affected by a disaster. He may make arrangements for the adequate care and protection of those persons or livestock and of personal property. The Minister may cause the demolition or removal of any trees, structures or crops necessary to reach the scene of a disaster, or to attempt to forestall its occurrence or to combat its progress. Other powers of the Minister in an emergency are described.

IV. CO-OPERATIVES AND CREDIT UNIONS

CO-OPERATIVE ASSOCIATIONS ACT, RSA 1970, c. 67. Amendments: SA 1971, cc. 1, 49 1973, c. 83; 1974, c. 4. (N.I.F.); 1975, 1975, (2) c.47 (N.I.F.); 1976, Bill 48.

Minister of Consumer and Corporate Affairs.

Provides for the incorporation of Co-operative Associations and grants them certain rights, powers and privileges. The Director of Co-operative Activities is appointed under the Act.

Ten or more persons may incorporate for the purpose of conducting and carrying on a co-operative undertaking, business or industry. A Co-operative Association (a) having as its object the purchase of farm machinery for its members, or (b) having as its object any other purpose which has a prior approval of the Director of Co-operative Activities, may be formed by six or more persons, subject to compliance with the other requirements of this Act. Under the Act, no member is entitled to hold more than one-sixth of the total issued share capital of the association. Members may withdraw from membership in an association as prescribed by bylaw. This does not apply to members of rural Electrification or rural Gas Associations.

Part II governs a corporation that is incorporated otherwise than by or under an Act of the Province. This type of association must be registered under this Act before commencing to carry on business in the Province. An association may make marketing contracts requiring its members to sell for a period not exceeding seven years all or part of their agricultural products or commodities specified in the contracts, exclusively to or through the association, or an agency created or indicated by the association. Where a member does not, within 12 months of the date of the contract, make a delivery of the product or commodity that he is required by the contract to

deliver, he thereupon ceases to be a member and ceases to have any right or interest in the association or the property. Qualifications for membership in marketing associations are set down.

Proposed amendments under bill 48, 1976, would enable the Rural Electrification Association to remove electrical lines and facilities which are no longer needed and would enable them to enforce payment on lien notes where there electricity is supplied through agents. Schedule B will be struck out and fees would then be prescribed by the Minister.

Part IV authorizes the appointment of a Director of Co-operative Activities. His functions and duties are described. Schedules A and B contain a form of memorandum of association and a table of fees.

CO-OPERATIVE MARKETING ASSOCIATIONS GUARANTEE ACT, RSA 1970, c. 68.

Amendments: SA 1971, c. 19; 1972, c.23; 1973, c.83; 1974, c.4, N.I.F; 1975, c.1.

Minister of Consumer and Corporate Affairs.

Provides authority for provincial guarantee of loans to marketing associations when used for acquiring land, factories, warehouses, machinery or equipment.

If an association has as its principal object the supplying of natural gas, liquified petroleum gas, water and/or electrical energy or power to its members, the Lieutenant Governor in Council may guarantee the borrowing if the conditions specified in the Act are met. The same holds true for an association incorporated under the Co-operative Associations Act and having as its principal object the purchase of farm machinery for its members. The Province may also guarantee further borrowing by the association even if the original sums have not been fully repaid.

No guarantee may be given unless:

- (a) the Association has first paid at least 15 per cent of the cost of acquiring the assets for which the proposed borrowings are required;
- (b) the borrowed sum is required to be repaid within a period not to exceed 20 years;
- (c) the Association has made provision satisfactory to the provincial treasurer for the repayment of the guaranteed borrowings and interest;
- (d) the total amount of the liability of the province as a guarantor will not exceed \$20,000,000.

The Provincial Treasurer, with the approval of the Lieutenant Governor in Council, may guarantee on behalf of the province a further borrowing by the association for use as working capital, but the amount of such borrowing must not exceed 50 per cent of the amount that has been repaid on account.

Where an association applies to have a loan guaranteed, the Provincial Treasurer may require that the association obtain the notes from those members who have not fully paid up their share of the cost of constructing the pipe lines or works required by the association.

CREDIT UNION ACT, RSA 1970, c. 74.

Amendments: SA 1971, c. 1 (Schedule); 1973, cc. 61, 66 N.I.F.

Minister of Consumer and Corporate Affairs.

Provides authority for the incorporation of the Credit Union Stabilization Corporation and regulation of credit unions and creates a Credit Union Stabilization Fund. The business and affairs of the Corporation are to be administered by a Stabilization Board.

The objects of the Corporation are:

- (a) to ensure the repayment of money invested in shares of or deposits with a credit union;
- (b) to protect and stabilize credit unions in financial difficulties by loans, advances or grants;

- (c) to provide for such preventive services as may be necessary to avert financial difficulties or to recoup losses;
- (d) to authorize a purchase of insurance policies or programs;
- (e) to establish and carry out technical and advisory programs for the general welfare of credit unions and the credit union movement in Alberta;
- (f) to purchase the assets and assume the liabilities of a credit union which requires financial assistance;
- (g) to act as the liquidator of any credit union;
- (h) to supervise and administer the affairs of the credit union;
- (i) to re-organize, manage and supervise the affairs of the credit union where an order is made by the director pursuant to section 58.

The Stabilization Board may declare a credit union to be subject to supervision by the Corporation when certain requirements of the Act are not met. The Act sets down requirements for management and operation. The duties of the directors are described. The stabilization fund must continue to be maintained for the purpose of providing financial aid to Credit Unions. It is to be administered by a Stabilization Board. Every Credit Union is required to make an annual payment into the Stabilization Fund in the amount prescribed by the standard bylaws. The Lieutenant Governor in Council is authorized to make regulations governing the operation and management of this fund.

The membership of the Credit Union must consist of persons, groups of persons or corporations who qualify for membership in the Credit Union under the supplemental bylaws. A membership register must be maintained by each Credit Union. The director of credit unions is responsible for ensuring that the affairs of each Credit Union will be properly managed. The actions that the Director must take when he is of the opinion that the affairs of a credit union are being mismanaged or are being conducted in an unsound manner, are stated.

NATIVE CO-OPERATIVE GUARANTEE ACT, RSA 1970, c. 256.

Minister of Consumer and Corporate Affairs.

Provides for Provincial guarantee of principal and interest on loans made to native co-operative associations.

Where an association borrows money for a period not exceeding 20 years and proves to the Minister that the money is required for a productive purpose, the Provincial Treasurer may guarantee the repayment of principal and interest. The total liability of the Province must not exceed \$5,000,000 at any given time.

RURAL ELECTRIFICATION LONG-TERM FINANCING ACT, RSA 1970, c. 324.

Amendments: SA 1971, cc. 49, 97;
and 1974, c. 4.

Director of Co-operative Activities, Department of Consumer and Corporate Affairs.

Enables the financing of rural electric lines for members of co-operative associations.

An association may, in accordance with the provisions of this Act, apply for and receive a loan from the Rural Electrification Revolving Fund. Loans must bear an interest at the rate of 3 1/2 percent per year and be for no longer a period than 25 years and be repayable in monthly installments. When an association desires a loan under this Act, it must apply to the Director of Co-operative Activities for his approval of the proposed borrowing.

Where an Association has (a) entered into an agreement with the power company to supply electricity, (b) has determined the cost of constructing the works required, and (c) has received from each member at least \$100.00 to meet the cost of constructing the works required, it may make application to the Director for a loan. The requirements for a note from those of its members who have not repaid their share of the cost of constructing the works of the Association are detailed. The procedure after approval is described.

A lien filed under this Act may be enforced in the same manner as a mechanic's lien filed under the Mechanic's Lien Act. Other requirements are described.

RURAL ELECTRIFICATION REVOLVING FUND ACT, RSA 70;

Amendments: c. 325. SA 1971, cc. 49, 98; 1972, c. 89; and 1974, c. 4.

Designated member of the Executive Council.

Establishes a Rural Electrification Revolving Fund and sets down requirements.

Before applying to the Director of Co-operative Activities for a loan a Co-operative Association must supply a statement of (a) the total estimated cost of constructing the works required, (b) the proposal for the distribution lines, (c) the area to be served by its works, and (d) the number of farmers in the area to be served from the works of the Association. The Act details the conditions for approval of the application.

RURAL GAS ACT, SA 1973, c. 83 Amendment: SA 1975 (2), cc. 16, 30

Minister of Utilities and Telephones.

Provides the means whereby rural consumers may obtain gas service through a member-owned co-operative association.

Under Part I the Rural Utilities Branch is established and provision is made for government grants to gas distributors. The Minister is responsible for the co-ordination of the setting of standards of rural gas utilities. Entry and inspection rights are granted to the officers of the Branch.

Provisions respecting construction of rural gas utilities and extensions are the subject of Part II of this Act. When a dispute arises in connection with an application for approval of a franchise area, the Chief Officer may, with the consent of the Minister, arrange for the conducting of a plebiscite or a referendum by mail in order to obtain the views of gas consumers or potential consumers, but he is not bound by the results. Consumer "raiding" by a distributor is prohibited.

Part III creates a fund called the "Gas Alberta Operating Fund" and sets down the requirement that certain users must purchase gas from "Gas Alberta" only. Part IV deals with rural gas co-operative associations and sets down requirements.

WHEAT BOARD MONEY TRUST ACT, R.S.A. 1955, c. 367.

Minister of Agriculture.

Establishes a trust fund, creates a Board of Trustees to administer the fund, and sets down their duties and authority.

A trust fund is established consisting of \$112,000 paid by the Government of Canada to the Government of Alberta as the result of the operations of the Canadian Wheat Board during the years 1916-1919. The Minister of Agriculture shall be a member of the Board of Trustees which is responsible for administering the above moneys. The sum may be invested in any securities in which the government is authorized to invest money under The Provincial Loans Act. The income of the trust is to be spent, principally, on the encouragement and development of co-operative markets, grants for prizes or scholarships and grants to co-operative societies. The total amount of grants and advances made and outstanding at any one time shall not exceed \$50,000.

V. LAND POLICY

Development, Drainage, Irrigation and Conservation

CROWN CULTIVATION LEASES ACT, R.S.C. 1970, c. 80 Amendment: 1975 (2), c. 10

Minister of Energy and Natural Resources.

Exempts crown cultivation leases from assessment and taxation under certain statutes and enables the Minister to pay specified percentages from money received as rent to the school board and the municipality.

The Act also sets down the provisions regarding assessments and taxation and governing leaseholds which are partly under crop share. It also gives the Minister and the lessee the same right of appeal against assessment and taxation under the Municipal Taxation Act as owner of assessable land has under that Act.

DRAINAGE DISTRICTS ACT, RSA 1970, c. 115. Amendment: SA 1971, cc. 1, 70; and 1972, c. 96; 1975 (2), C. 13

Minister of the Environment.

Provides the authority under which Drainage Districts are constituted, managed and operated. Authority for the construction of works comes from The Water Resources Act.

Part I deals with the general provisions. These include the formation of drainage districts; the constitution and general powers of the board; officers of the board; meetings of the board; the drainage council; the debentures, drainage rates, alterations of plans and extension of works; and offences and penalties. Part II deals with elections, while Part III cover assessments. Part IV sets out the procedure for recovery of rates and part V covers the dissolution of a district.

GROUND WATER CONTROL ACT, RSA 1970, c. 162. Amendment: 1975 (2), c.88

Minister of the Environment.

Controls the drilling of wells in the province.

No person may commence a well on lands which he does not own unless he holds a permit form the Director (Controller) of Water Resources, designated pursuant to the Water Resources Act. The Director is permitted to enter upon any land in the province and can have access to all wells, records, plant and equipment.

Where the flow of water from a well is not controlled, the Director may take necessary action and recover the cost from the persons responsible for the well. The owner of a well must take the necessary precautions for the prevention of damage to persons, livestock and other property.

The Lieutenant Governor in Council may make regulations respecting the methods of boring wells and of determining and developing sources of ground water, and other matters related to wells and ground water.

IRRIGATION ACT, RSA 1970, c. 192. Amendments: SA 1971, c. 54; 1972, c. 91; 1974, c. 27; 1975 (2), c.23

Minister of Agriculture.

Establishes an Irrigation Council to advise and control irrigation districts.

The Act governs the Eastern Irrigation District, the Western Irrigation District, the St. Mary Irrigation District, the Bow River Irrigation District and nine other irrigation districts. In carrying out its duties and functions, the Council has the assistance of an Irrigation Secretariat. The Council must appoint the first board of directors of an irrigation district.

The Act deals with the formation of new districts, changes in an area or amalgamation of districts and the dissolution of a district. Other parts of the Act cover boards of directors, elections, votes on issues, assessment, irrigation rates, and water damage claims. The board may pass a bylaw for the expropriation of any interest in any land required and Parts III and IV of the Expropriation Act apply to these expropriations.

IRRIGATION LAND MANAGER ACT, SA 1969, c. 56. Amendments: SA 1970, c. 61.

Minister of Agriculture.

Provides the authority for an Irrigation Land Manager to operate in the St. Mary and Milk River development areas and the Bow River development area.

The Irrigation Land Manager is responsible for the sale, lease and administration of land held in trust for the Crown in right of Alberta. He may develop or make improvements on any land held by him and is responsible for the collection of water-right and land payment.

PUBLIC LANDS ACT, RSA 1970, c. 297. Amendments: SA 1971, cc. 37, 88 and 96; 1972, cc. 79, 89; and 1975 (2), c. 10

Minister of Energy and Natural Resources.

Governs the disposition of public lands.

The Act outlines the powers of the Minister and covers notification, dispositions, the recovery of rent and unauthorized use of public lands. It also sets down the requirements for homestead sales.

Leases for lands of established grazing capacity may be issued for terms not exceeding 20 years and for an area which may not usually be more than sufficient to graze 600 head of cattle. Provision is made for grazing associations and for community grazing reserves operated by the Province.

The Minister must not sell public land or issue a notification in favour of the purchaser for that land, if the purchaser or one of the purchasers is a person who is not (a) a Canadian citizen, or (b) a corporation that is not a Canadian corporation, or (c) a person or corporation acting as a trustee for a person who is not a Canadian citizen or for a corporation which is not a Canadian corporation.

RECREATION DEVELOPMENT ACT, RSA 170, c. 314. Amendment: 1975 (2), c.77

Designated member of the Executive Council.

The Council of a Municipality may by bylaw prescribe a special tax on all property within a recreation area established by bylaw. The Council may pass this bylaw unless it has received a petition from 10 percent of the proprietary electors living in the area concerned asking that the bylaw be submitted to the proprietary electors for a vote. This petition must be received by the Council within 30 days of the date when notice of the bylaw was published in the newspaper.

Where a by-law provides for a recreation services in a recreation area within a municipality, the tax levied may be levied either upon the assessed property in that recreation area only, or upon all assessed property in that municipality (s. 9).

SOIL CONSERVATION ACT, RSA 1970, c. 348.

Minister of Agriculture.

Provides the authority for soil-conservation control measures and remedial work.

Every council is responsible for instituting such soil conservation measures as are required for the proper administration of this Act. Every person who owns, occupies or controls land must take measures to prevent soil deterioration on the land by the action of wind or water or by any other cause.

Procedures to be followed where land is impoverished are outlined. The Act provides the authority for remedial work to be done where action is not taken with respect to soil deterioration.

A council may also pass bylaws to control or prohibit the removal of top soil from land and to prevent the burning of straw and stubble on land.

WATER RESOURCES ACT, RSA 1970, c. 388. Amendments: SA 1971, cc. 49, 113; 1972, c. 89; 1974, c. 27; 1975 (2), cc. 10, 13, 88.

Minister of the Environment.

Vests water resources in the province and provides the rules and the mechanisms for controlling water use.

WATER RESOURCES ACT

Water rates are declared to be a first lien and charge upon all crops and other farm produce.

The Minister may construct, operate, maintain and repair works and undertakings. These powers may be exercised for the purpose of drainage, irrigation, water power, water supply, river control, flood control and ground water supply development projects. The Minister may impose and collect charges in accordance with the regulations for services or facilities provided through works or undertaking.

The property of any water in Alberta is declared to be vested in the Province. A person owning or occupying land adjoining a body of water upon provincial lands may use such quantities of water as he requires for domestic services on the land.

Except under the authority of this Act, and the regulations or licences issued under this Act, no person may divert or use any water or do anything that interferes with or is capable of interfering with present or future development, conservation or management of water.

The Act deals with the acquisition of rights, construction of works, expropriation of land, licences and licensees, drainage works, amalgamation of companies, and expropriation of works. Part II covers the requirements relating to water-powers. Part III permits the Lieutenant Governor in Council to set up a board for the control of boundary waters and describes his powers and those of the Minister. Part IV covers the construction of works and undertakings by the Minister.

The Lieutenant Governor in Council may designate flood-control areas. The Minister may then acquire land within the flood-control area for any project that he considers will lessen the dangers of floods, or for the purpose of preventing the land being used for any purpose while the danger of flooding exists. Instead of acquiring land within a flood-control area, the Minister may by order, prohibit or regulate any activity upon the use of land within the flood-control area.

2. Tenure

EXPROPRIATION ACT, SA 1974, c. 27. Amendments: 1975 (2), c.30; 1975 (2), c.88

Attorney General.

Governs any expropriation authorized by the law of Alberta.

Part I sets down the procedure for expropriation. No person may in any proceedings under this Act dispute the right of an expropriating authority to have recourse to expropriation. In any proceedings under this Act, the owner may question whether or not the taking is fair, sound and reasonably necessary to the achievement of the objectives of the expropriating authority. The expropriating authority must serve a copy of the notice of intention to expropriate to every person known to have an interest in the land.

An owner who desires an inquiry must serve the approving authority with a notice of objection within 21 days of service upon him of the notice of intention. In any other case, the notice of objection must be served within 21 days after the first publication of the notice of intention.

Where expropriation is urgent, the Lieutenant Governor in Council may by order direct that an intended expropriation shall proceed. An expropriation authority may abandon its intention to expropriate at any time before registration of the certificate of approval in the Land Titles Office. For expropriations for pipelines, power lines and hydro developments, the Surface Rights Board has exclusive jurisdiction as enquiry officer, approving authority and for determination of compensation.

The procedure for compensation is outlined in Part II of the Act. The Land Compensation Board is established. Where the expropriating authority and the owner have not agreed upon the compensation payable under this Act, the Board must determine such compensation. Where the expropriation is by the Crown, the owner may elect to have the compensation fixed by the court. The principles of compensation are set forth. Part III contains the general provisions.

LINE FENCE ACT, RSA 1970, c. 210.

Minister of Agriculture.

Provides for the settlement of disputes arising over fences.

This Act contains regulations governing (1) construction of any line fence across a trail that has been in constant public use for over 3 months prior to the erection of the fence, and (2) the sharing of the expenses of erection, maintenance and repair of a fence constructed between two adjoining pieces of land owned by different persons.

MUNICIPAL TAXATION ACT, RSA 1970, c. 251. Amendments: SA 1971, cc. 1, 25, 78; 1972, cc. 70, 91; 1973, cc. 42, 46, 77; 1974, c. 43, 50; 1975 (2), cc. 4, 10, 16, 69

Exempts certain agricultural property from assessment and taxation by a municipality.

Under section 25 (1) the following property is exempted from assessment by a municipality; (1) Two-thirds of the value of improvements as determined for assessment for business of any municipal feed cleaning plant constructed under an agreement authorized by section 14 of the Agriculture Service Board Act; (2) farm buildings; (3) growing crops; (4) irrigation works as defined by the Irrigation Act, held by the board of directors of an irrigation district, excepting buildings used for residential purposes and land in connection therewith.

NAMES OF HOMES ACT, RSA 1970, c. 254. Amendment: Sched. 1971, c.1

Deputy Minister of Agriculture.

Provides for the exclusive use of the name selected as the name of a person's home or place of residence.

A person owning a home in the province of Alberta desirous of registering a name for it may do so. After registering such name and paying the required fee, the person is entitled to the exclusive use of the name selected.

PIPELINE ACT, RSA 1970, c. 275 Amendment: S.A. 1975 (2), c. 30 1971, c. 30; 1972, c. 91; 1973, c. 83; 1974, c. 27; 1975, cc. 4, 10, 16.

Minister of Energy and Natural Resources.

Sections 11 and 48 are of special interest to agriculture, since these contain the provisions governing the acquisition of land. Under Section 11 (2) the Energy Resources Conservation Board may stipulate that the holder of a permit to construct a pipeline must acquire any interest in land not owned by him and required for the purposes of his pipeline by negotiation with the owner.

Under Section 48 (1), the interest in the land required may be acquired

- (a) by negotiation with the owner, or
- (b) by an order under the Surface Rights Act, or
- (c) by an order under the Water, Gas, Electric and Telephone Companies Act, or
- (d) by a certificate of approval under the Expropriation Act.

Under Section 48 (2), where a permit for a pipeline contains a stipulation in accordance with Section 11, subsection (2), the operator must not acquire the interest otherwise than by negotiation with the owner. Where it appears to the Minister of Utilities and Telephones that the interest in the land cannot be so acquired for a Rural gas line, he may direct that the interest be acquired by expropriation under such terms and conditions as he may prescribe.

SAND AND GRAVEL ACT, RSA 1970, c. 328.

Minister of Energy and Natural Resources.

Declares who is the owner of sand and gravel.

The owner of the surface of the land is deemed to be the owner of and entitled to sand and gravel on the surface of the land, and all sand and gravel recovered by surface operations.

SURFACE RIGHTS ACT, SA 1972, c. 91; 1973, c.34; 1976 BILL 71.

Minister of Agriculture.

Establishes the Surface Rights Board and provides for right-of-entry orders with respect to land. It also provides for hearings to settle disputes.

This Act applies to all lands in Alberta. The general powers and duties of the Board and its officers are described. The purposes for which right-of-entry may be granted are detailed. Where an applicant has been unable to reach agreement for the acquisition of the required interest in the surface of land, he may make application to the Board for right of entry. Upon the receipt of an application, the Board must give notice of a hearing. Under certain conditions, the Board may grant immediate right of entry. The rights conferred by the order are enumerated. Guidelines for determining the amount of compensation are set down. Either party may appeal a compensation order to the district court.

Where a compensation order provides for payment of compensation on an annual or other periodic basis, either party may give notice if he desires the rate of compensation to be reviewed. The Board's jurisdiction respecting review of surface leases is described. The Surface Rights Board may hold a hearing and make an order with respect to a dispute as to damages, subject to limitations regarding time and amount. Schedules are attached.

WATER, GAS, ELECTRIC AND TELEPHONE COMPANIES ACT, RSA 70, c. 387.

Amendments: SA 1971, cc. 49, 112;
and 1974, c.27.

Minister of Highways.

Provides for right of entry and compensation for damages.

A company may enter, without consent, on private lands to take surveys and make examinations for fixing the location of a proposed right-of-way, works and undertakings, and for ascertaining and determining the land they may require. A company must make compensation to the owners or proprietors for all damages. Notice of claim for damages must be given within a time during which the nature, character, extent and evidence of damage is apparent, and in any case not later than 60 days after the cause of complaint arose.

When a company desires or proposes to acquire any lands for their works, the company must first make application to the Minister for approval of the intended right-of-way. The Act describes the manner in which, and the terms under which, a company may exercise the right to take and expropriate lands or any interest in lands.

VI. LEGAL RESTRAINTS

1. Crops

BEET LIEN ACT, RSA 1970, c. 27.

Minister of Agriculture.

Provides the authority for taking liens on beet crops.

Any person who supplies a grower with beet seed or labour for sowing beet seed, or advances money for the purchase of beet seed or for hiring labour to sow beet seed, has a lien on all crops of beets grown by the beet-grower from the seed. The lien covers the value or costs of any of the above, but the amount of the lien must not exceed \$4.00 per acre of land upon which the seed is grown.

CROP LIENS PRIORITIES ACT, RSA 1970, c. 76.

Minister of Agriculture.

Sets priorities of liens placed on crops.

The following Acts have, in the order set out, priority over all other claims, etc., on such crops: (1) the Thresher's Lien Act for threshing; (2) the Harvesting Liens Act for harvesting advances; (3) the Hail and Crop Insurance Act for such insurance; (4) the Municipal Taxation Act for taxes and the Irrigation Act for irrigation rates and other moneys recoverable in the same manner as irrigation rates; (5) the Agricultural Relief Advances Act for liens and charges created by that Act; and (6) Sections 254-266 of the Municipal Government Act for advances on supplies, seed grain or other commodities.

CROP PAYMENTS ACT, RSA 1970, c. 77.

Minister of Agriculture.

Provides protection for both parties under a crop share agreement.

Where payment is being made by the delivery of a share of the crops grown, the lessor, vendor or mortgagee is deemed to be the owner of the share from the sowing of the crops until the share of the crops or the proceeds of the sale thereof have been delivered into his possession. This Act does not operate to vest in a lessor, vendor or mortgagee more than 1/3 of the share of the crop.

If a farmer is under an obligation to deliver a share of a crop, he may apply for relief to a judge of the District Court of the district in which the crop is grown. The judge has the authority to determine if the delivery of the full share of the crop will leave the farmer without a reasonable return and would render him unable to carry on his farming operation.

CROP PAYMENTS (IRRIGATED LAND SALES) ACT, RSA 1970, c.78.

Minister of Agriculture.

Provides protection to both parties in a crop share agreement.

Declares ownership of a share of the crop resulting from a crop share agreement between a person and the Board of Directors of an irrigation district, the Irrigation Land Manager or by the Crown in the right of Canada.

Where provision is made in any crop share agreement for the payment of the purchase money, or the rent, or for water rate payments through a share of the crop, then the vendor or lessor is deemed to be the owner until the crop has been delivered into his possession. This Act does not operate to vest in a vendor or lessor more than a 1/8 share of all root crops or a 1/4 share of all other crops grown on the land.

If a share of the crop deliverable under a Crop Share Agreement is not delivered on the date fixed by the agreement, the vendor may seize his share of the crop. The manner of distribution of the proceeds from sale of any share of the crops is outlined. The Act also gives the vendor the right to a statement of all grain threshed by the owner, operator or manager of the threshing machine used in the threshing.

GRAIN CHARGES LIMITATION ACT, RSA 1970, c. 161.

Minister of Agriculture.

States the law regarding cessation of charges upon grain on delivery to an elevator.

Upon the delivery of any grain grown in the province that is delivered by or on behalf of the grower of the grain to an elevator licenced under the Canada Grain Act, or to a grain buyer licenced under the Grain Buyers Licensing Act, every charge upon the grain ceases and is void. The exceptions are listed.

THRESHER'S LIEN ACT, RSA 1970, c. 363. Amendment: 1975 (2), c.10

Minister of Agriculture.

Provides for a lien by a harvester for the purpose of securing payment for harvesting.

This lien has priority over other charges against the grain. A lien holder may, after giving written notice to the owner of the grain, take a sufficient quantity of the grain to secure payment of the harvesting charges.

Section 8 provides for a statement of a thresher to a lien holder. The Minister of Municipal Affairs or the Minister of Energy and Natural Resources or their authorized representatives are entitled to a statement from the thresher setting forth the kind of grain threshed, the number of bushels and the rate charged for threshing.

2. Livestock

LIVERY STABLE KEEPERS ACT, RSA 1970, c. 214.

Minister of Agriculture.

Provides that a keeper of livery, boarding or sales stables has a lien for the value of any food, care or accommodation furnished, and provides the authority for detaining goods and chattels of any person who is indebted to him. The procedure for selling the things detained and the application of the proceeds of the sale are detailed.

3. Machinery

FARM IMPLEMENT ACT, RSA 1970, c. 136. Amendments: SA 1971, c. 33 and 1973, c. 24.

Minister of Agriculture.

Provides purchasers with certain protection in the event of failure of new machinery and requires a supply of repair parts for a definite period.

This Act applies to any implement or machine having a retail price of \$1,000 or more and used or intended for use in farming operations. Farm implements that are exempted from this Act are specified. The form of a sale agreement for a farm implement, whether new or used, is detailed.

Notwithstanding anything contained in an agreement or other document, every new farm implement sold shall be deemed to be warranted to be made of good material, properly constructed, in good working order, capable of performing the work for which it is intended and so designed and constructed as to ensure reasonable durability. Notice of failure on performance must be given to the vendor within ten days from the date the implement is first used, and the dealer or vendor must endeavor to make the implement perform in a satisfactory manner not later than the seventh day, assuming reasonable operating conditions, after receipt of the notice.

If the implement cannot be made to perform in a satisfactory manner the vendor must, within 48 hours, provide the purchaser with a satisfactory substitute until his implement is made to perform in a satisfactory manner.

Every sale agreement for a new farm implement shall be deemed to contain a warranty that repair parts will be made available by the vendor for a period of ten years from the date of the agreement. The Lieutenant Governor in Council may make regulations respecting the supplying of parts in an emergency. Licensing and bonding of dealers is required under this Act, and vendors must also be licensed pursuant to the Act. The Minister may at any time require a licensee to furnish security in a greater amount than that already furnished.

Other sections of the Act deal with inspection of vendors' repair parts, return of defective parts, breach of warranty, and arbitration under the Arbitration Act. An inspector may, on the request of a purchaser, inquire into and attempt to resolve any dispute.

VII. MARKETING

1. General

FROZEN FOOD ACT, RSA 1970, c. 150. Amendments: SA 1974, c. 3; 1975 (2), c.9

Minister of Agriculture.

Regulates frozen food operations and provides for guarantees for co-operative associations operating frozen food locker plants.

A person must not operate (a) an animal food storage plant, or (b) a frozen food locker plant or (c) a specialized processing plant unless he has a licence issued pursuant to this Act. The Minister has discretionary power regarding licences where a person who obtains slaughtered animals only processes the carcasses for the use of owners of home freezers.

The Lieutenant Governor in Council, on the recommendation of the Minister of Consumer and Corporate Affairs, may authorize the Provincial Treasurer to guarantee on behalf of the Province any sum borrowed by a co-operative association for the purpose of acquiring lands, buildings, machinery or equipment for use in carrying on a frozen-food locker-plant business or specialized processing plant.

MARKETING OF AGRICULTURAL PRODUCTS, RSA 1970, c. 225.

Amendments: SA 1972, c. 65 and 1973, c. 38;
1976, Bill 31.

Minister of Agriculture.

Establishes the Agricultural Products Marketing Council and enables marketing boards and marketing commissions to be constituted and agricultural products to be regulated.

The 1976 amendment enables the Lieutenant Governor in Council to make orders governing the conduct of meetings by the Council and by producer boards. There are also provisions for control of the production of poultry and eggs and for operation of indemnity funds.

Any organized group of producers of an agricultural product may submit to the Council a proposed plan for the control, regulation and promotion within the Province of the marketing of that agricultural product, with a request that such plan be established. The plan for a board does not become operative until a formal vote has been conducted among the producers to be affected. A plan for a commission may be established without a vote if the Marketing Council is of the opinion there is no strong opposition to the plan.

The functions of the Council include (a) conducting votes on plans of marketing, (b) assisting commodity groups to establish producer boards and marketing commissions, (c) supervising their operations and (d) enforcing the regulations. The Lieutenant Governor in Council may make orders for the establishment of plans and boards.

The Council may make regulations vesting in any producer board any powers of the Council it considers necessary or advisable to enable the producer board effectively to promote, regulate and control the marketing of the regulated product within the Province.

Where the Council delegates to the producer board any of its powers, or vests in a producer board powers to promote, regulate and control the marketing of a regulated product, the Council may (a) limit the powers of the producer board, and (b) revoke any regulation, order or direction of the producer board.

Where a producer board or marketing commission has reason to believe that any person is keeping, transporting, packing, storing or marketing any regulated product in contravention of any of its regulations, it may apply to a judge of the Supreme Court for an order for seizure.

Boards and commissions may obtain information from producers and from wholesalers or processors if the Council approves.

Producers may petition for amendment or termination of a plan. A petition is of no effect unless it is signed by at least 10 percent of the persons entitled to sign. The Lieutenant Governor may at any time order the Council to hold a plebiscite for the purpose of determining whether a plan should be amended or terminated.

Section 15 enables a producer board or marketing commission, with the approval of the Lieutenant Governor in Council, to exercise any power conferred upon it by the Canada Act (the Farm Products Marketing Agencies Act or the Agricultural Products Marketing Act or both of them) and permits the Council to vest in the Canada Board (National Farm Products Marketing Council or any agency established pursuant to the Farm Products Marketing Agencies Act) any function that it may delegate to a producer board or marketing commission under the Act.

Under section 17, the Lieutenant Governor in Council may make regulations, and by order vest in a producer board such authority and powers as are considered necessary or advisable,

(a) To carry out the purpose and intent of this Act, or

(b) to enable a producer board to exercise effective control of marketing or production in co-operation with the National Farm Products Marketing Council or any agency established under the Farm Products Marketing Agencies Act (Canada).

PUBLIC HEALTH ACT, RSA 1970, c. 294.

Amendments: SA 1971, cc. 16, 17, 24, 25 and 87; 1972, cc. 20, 89; 1973, cc. 46, 47;
1974, c. 69; 1975(2), cc. 12, 14

Minister of Social Services and Community Health.

Provides the rules and the mechanism for safeguarding public health.

The Provincial Board of Health may, subject to approval of the Lieutenant Governor in Council, make and issue orders, rules and regulations in respect of the following matters: (1) the prevention and suppression among animals of contagious and infectious diseases communicable to man; (2) the inspection, licensing, method of construction, furnishing, operating, maintaining, cleansing and disinfecting of all dairies;

(3) the testing of dairy herds for tuberculosis or any other communicable disease; (4) the methods of production, transportation, exposing for sale, inspection, condemnation and sale of any article intended as food for man; (5) the licensing and inspecting of bird farms, piggeries, slaughterhouses and other places in which animals are killed; (6) the prevention of the use of noxious manures and fertilizers dangerous to the public health; and (7) the sanitation, inspection and quarantining of all creameries, cheese factories and dairies, and the cow sheds and stables connected with them, and of market gardens.

Other sections of the Act cover pasteurization of milk, local boards of health, etc.

2. Crops

GRAIN BUYERS LICENSING ACT, RSA 1970, c. 160.

Designated member of the Executive Council.

Provides for licensing of grain buyers.

All grain buyers are required to obtain a licence under the Canada Grain Act as well as under this Act, except that no licence is required under this Act for a grain buyer in respect of a shipping point at which he is the manager or operator of a country elevator licenced under the Canada Grain Act.

A person who ceases to carry on the business of grain buyer is required to give written notice and return his licence.

SEED DEALERS ACT, RSA 1970, c. 336.

Minister of Agriculture.

Regulates buying and selling of seed between seed dealers and producers dealing within the province.

This Act does not apply to a farmer, rancher or person buying seed for his own use or to a producer selling seed produced by himself.

The Lieutenant Governor in Council may make regulations requiring seed dealers to be licensed, and prescribe the conditions for licensing and the fees payable. The Minister of Agriculture is empowered to refuse any application for a licence or the renewal of a licence, or to cancel any licence, unless the applicant or holder furnishes him with a satisfactory bond. Inspectors may be appointed to carry out the provisions of this Act.

VEGETABLE SALES (ALBERTA) ACT, RSA 1970, c. 381.

Minister of Agriculture.

Governs sales of potatoes and other designated vegetable crops.

The Lieutenant Governor may make regulations classifying and establishing grades for any vegetables; providing for the inspection, grading, packaging, packing, marketing, shipping, advertising and selling of vegetables within the Province; and requiring the registration and licensing of brokers, commission agents, dealers and packers and of persons assembling vegetables and vegetable products. The Minister is empowered to employ inspectors to enforce the provisions of this Act. The inspectors' powers are described.

3. Livestock

DAIRY BOARD ACT, RSA 1970, c. 234. Amendments: SA 1971, c. 69; 1972, c. 66.

Minister of Agriculture.

Constitutes the Alberta Dairy Control Board and details its authority and powers for regulating the marketing of milk.

The Dairy Board may, with the approval of the Lieutenant Governor in Council, accept and exercise any authority or powers granted to the Dairy Board pursuant to the Agricultural Products Marketing Act (Canada). Subject to the same condition, it may become a party to a comprehensive Milk Marketing Plan to which the Canadian Dairy Commission is also a party. The Dairy Board may make regulations and orders governing and controlling the production, processing, supplying, transportation, distribution or sale of milk within Alberta. Its powers regarding licensing are specified.

The Public Utilities Board may prescribe a minimum price for milk. The offences and penalties for contravention of any provision, order or regulation made by either board are described. The manner of sharing the cost of enforcement of the regulations and for recovery of assessments are also described.

The Milk Board, with the approval of the Lieutenant Governor in Council, may make regulations for the establishment and operation of a plan for regulating marketing of milk within Alberta. The Milk Board may, under certain conditions, accept and exercise Federal regulatory powers. The Lieutenant Governor in Council may order a vote of the producers for the purpose of obtaining their opinion on the Provincial Marketing Plan.

DAIRYMEN'S ACT, RSA 1970, c. 83. Amendments: SA 1974, c. 3.

Minister of Agriculture.

Sets down the requirements for sanitation, sampling, testing and purchasing milk and cream for producers and dairy manufacturing plants.

All materials entering into the manufacturing and processing of dairy products must be clean and wholesome and only sanitary methods may be employed in manufacturing or processing. An inspector or a licensed operator or tester may colour milk or cream which is unfit for human consumption. The dilution, adulteration, etc., of milk is prohibited, as is the adulteration of cheese. All milk or cream supplied by a patron to a dairy manufacturing plant must be purchased on the basis of butterfat content. The addition of fat or oil is prohibited. The purchase price of milk or cream must be based on correct weight, butterfat content, grade, and classification. The dairy manufacturing plant must provide the producer with a statement of the cream or milk which is been purchased from the operator.

A licence is required to operate a dairy manufacturing plant, and a permit is required to establish a plant. The Minister may not issue or renew a licence until the amount of security required by him has been provided. The Minister may refuse to grant or renew a licence. He may appoint an advisory board to inquire into and report on licensing.

In the purchasing of milk, cream or butterfat for the purpose of manufacturing or processing for distribution, no person may discriminate in the prices paid by purchasing such commodity from one patron in the province at a lower price than is paid by such person for the same commodity at the same time to another patron after making due allowance for any difference in grade or in cost of transportation.

Whenever in this Act anything is directed to be done by the Minister with respect to any matter, the Lieutenant Governor in Council may refer the matter to the Alberta Milk Control Board, which thereupon has the same powers as are conferred upon the Minister by this Act. The liability of the producer and the liability of the manufacturer, in the event of any violation of the provisions of this Act, are stated. Offences and penalties are also listed.

LIVESTOCK AND LIVESTOCK PRODUCTS ACT, RSA 1970, c. 215. Amendment: SA 1973, c. 36.(Proc)

Minister of Agriculture.

Regulates transactions in livestock and livestock products taking place wholly within the Province, and sets up the Livestock Patrons' Assurance Fund.

The Lieutenant Governor in Council may make regulations providing for (a) inspection, weighing, grading, packing and marking of livestock, (b) weighing, grading, sampling, testing and analyzing of livestock products, (c) the manner in which deceptive advertising is to be dealt with, (d) the manner in which individual producers' lots are identified, (e) the manner in which the purchaser makes returns and prepares statements of account of purchase of livestock and of livestock products graded, (f) the conditions under which live poultry may be produced and sold in the province, and (g) generally the carrying into effect of the provisions of this Act.

Concerning stockyards, the Lieutenant Governor in Council may make regulations (a) requiring licensing of yards, (b) prohibiting operation of unlicensed yards, (c) prohibiting the operation of any class of yards, (d) prescribing the conditions, terms and fees upon which licences may be issued, and (e) defining classes of yards. He may also by regulation require all persons engaged in the business of dealing in livestock or livestock products to be licensed. He may prescribe the conditions under which a licence may be granted, prescribe designated areas, and make regulations applicable to such designated areas. He may empower the Minister to fix the amount of any security that must be provided by an applicant or any licensee for renewal of a licence.

The amount of the Livestock Patrons' Assurance Fund must not exceed \$500,000. A maximum of \$25,000 may be paid out of the Fund to a patron with respect to his claim against a livestock dealer. No patron is eligible to make a claim or receive compensation unless he gives notice to the Minister of the failure of the person licensed to make settlement. This notice must be given by registered mail within 60 days after the date on which the livestock or livestock products were supplied to the person licensed.

The Minister is empowered to appoint provincial inspectors and may appoint employees of any department of the Government of Canada to be inspectors under this Act.

MARGARINE ACT, RSA 1970, c. 224. Amendment: SA 1972, c. 64.

Minister of Agriculture.

Sets down the requirements for margarine.

The Act deals with conditions of sale, moisture and fat content, colour, notices required in eating places, regulations, taking of samples, and offences and penalties under the Act.

MEAT INSPECTION ACT, SA 1972, c. 117.

Minister of Agriculture.

Provides for meat inspection to ensure meat is fit for consumption.

Except as provided in the regulations, no person may slaughter an animal unless the animal has been inspected by an inspector immediately before the time of slaughter.

Except as provided in the regulations, no person shall sell, offer for sale, transport or deliver meat to any person unless (a) the animal from which the meat was obtained was inspected by an inspector, (b) the slaughter of the animal took place at an abattoir or at an "establishment", (c) there was a post-mortem inspection of the carcass, (d) the meat is judged by an inspector to be healthy and fit for human consumption and (e) the meat is stamped with an inspection legend or is labelled as provided in the regulations. The right of entry of an inspector is described.

VIII. PRODUCTION

1. General

ALBERTA LABOUR ACT, SA 1973, c. 33.

Designated member of the Executive Council.

This Act does not apply to employees employed as farm labourers and their employers while acting in the capacity of employer. "Farm labourers" does not include employees employed in a commercial undertaking which is a commercial undertaking in the opinion of the Board of Industrial Relations.

Deals with the rights of employees and employers, collective bargaining, conciliation, employment, complaints, strikes, wages, etc.

AGRICULTURAL PESTS ACT 1974, SA 1974, c. 2.

Minister of Agriculture.

Provides the authority for the mechanisms for controlling, destroying, preventing or delaying the establishment of a pest or a nuisance, and for preventing or reducing damage by a pest or nuisance.

Part I deals with pests and nuisances in general, and Part II with specific pests and nuisances. The Lieutenant Governor in Council may by regulation declare an animal, bird, insect, plant or disease to be a pest or a nuisance. It is the duty of every person who controls any land to take active measures to destroy pests and any other matter that contributes or may contribute to the maintenance or spread of any pests. Every municipal council must take active measures to destroy all pests in the municipality. The person or council destroying pests must do so in accordance with this Act and the regulations, or where applicable, the Agricultural Chemicals Act and its regulations, and the Wildlife Act and its regulations. The Minister is empowered to take effective measures to destroy pests or to prevent their establishment when a council fails to carry out its responsibilities under this Act.

For the purpose of controlling and eradicating bacterial ring rot of potatoes, the Minister may acquire, store, distribute and sell seed potatoes. He may also enter into an agreement with any person or agency for the purpose of controlling and eradicating bacterial ring rot. For the purpose of controlling or eradicating any insect pests, the Minister may purchase and make available to the council supplies of insecticide poison or other ingredients. The person concerned may apply to the Council of the municipality to purchase insecticide to destroy a pest or nuisance.

Part III outlines the powers of the Minister. It permits arrangements with the Government of Canada for the control or destruction of a pest or a nuisance within any area under the administration and control of the Government of Canada. Offences and penalties are described.

2. Crops

AGRICULTURAL CHEMICALS ACT, RSA 1970, c. 4. Amendments: SA 1972, c. 4.

Minister of Environment.

Stipulates the requirements for handling and using agricultural chemicals.

A person may not operate a business or provide a service involving the use or application of a pesticide unless he is licensed to do so pursuant to the regulations under this Act. No person may apply a pesticide (a) to, on or in any open body of water, or (b) within a distance of an open body of water prescribed in the regulations, unless he holds a permit to do so pursuant to the regulations under this Act.

The requirements concerning standards, limit of use, containers and storage, disposal and equipment are described. The duties of the municipality and the powers of the inspector are detailed. The Lieutenant Governor in Council is empowered to make the necessary regulations to carry out effectively the intent and purpose of this Act.

An Agricultural Chemicals Advisory Committee is appointed to advise the Minister and to make recommendations to him with respect to grievance appeals.

THE SEED-CONTROL AREAS ACT, RSA 1970, c. 335.

Minister of Agriculture.

Provides for the establishment of a seed-control area and for controlling, facilitating and protecting the growth of seed within the area.

The Lieutenant Governor in Council may constitute a seed-control area if at least 60 percent of the occupiers of land within a proposed area submit a signed petition. He may prescribe the seed or crop that may be grown and prohibit the growing of any designated kind or variety of seed or crop in the control area. He may appoint three persons together with one other person nominated by the Minister of Agriculture to be the committee of that seed-control area. The function of this committee is described.

SEED GRAIN PURCHASE ACT, RSA 1970, c. 337.

Minister of Agriculture.

Empowers the Minister to secure and retain a supply of grains suitable for seed purposes in the Province.

The Minister may make arrangements for purchase, delivery and distribution of the seed of any cereal, legumes, grass or fibre and sell this for cash to farmers in the areas of the Province where such supplies are required.

WEED CONTROL ACT, SA 1972, c. 96. Amendment: 1975 (2), c.56

Minister of Agriculture.

Provides for the appointment of weed inspectors and for the control of noxious weeds.

Where a council neglects or refuses to appoint an inspector, the Minister may intervene and appoint inspectors to carry out provisions of this Act within the municipality. Every local authority must make available disposal sites for weed seeds and materials containing weed seeds sufficient for the municipality.

The duties and powers of the inspectors are described. An inspector may give a notice in writing to the person who is under the duty imposed by this Act to destroy noxious weeds and weed seeds and any crops containing these. An inspector may issue a notice requiring destruction and control of noxious weeds in the next following year, and this notice has the same effect as if issued in the year in which the work is to be done. The written consent of the council must be obtained when the destruction of more than 20 acres of growing crop is required. Where persons fail to comply with a notice issued by an inspector, the inspector may cause the noxious weeds to be destroyed.

The duties of the occupant and owner of land are described. He must destroy weeds as often as may be necessary to prevent their spread, growth, ripening and scattering. Machinery or vehicles must not be moved until cleaned if they are likely to cause a spread of weeds. Weeds must be handled in such a manner as to prevent their being scattered by any means. Screenings must be sold in accordance with the regulations.

The Act also deals with the recovery of expenses incurred by an inspector, appeals, offences and penalties. It also empowers the Lieutenant Governor in Council to make the required regulations.

3. Livestock

ARTIFICIAL INSEMINATION OF DOMESTIC ANIMALS ACT, RSA 1970, c. 23. Amendment: SA 1974, c. 3.

Minister of Agriculture.

Establishes an Artificial Insemination Advisory Committee and provides for the licensing of technicians, inseminating businesses, semen-producing businesses, and semen banks.

The Lieutenant Governor in Council is empowered to make the necessary regulations. He may make regulations (a) providing for the payments of grants or other assistance for the furtherance of artificial insemination practices, including grants for training purposes; (b) prescribing the standards that must be complied with in respect of semen stored or used or distributed by a semen inseminating or producing business; (c) prescribing the qualifications of technicians; (d) prohibiting persons from publishing or advertising deceitfully or from misrepresenting their qualifications and (e) respecting any other matter or thing necessary or advisable to carry out effectively the intent and purpose of this Act. The Act does not apply to the collection of semen or to the artificial insemination of domestic animals by the person who owns the animals.

BEE ACT, SA 1972, c. 15.

Minister of Agriculture.

Governs the importation and destruction of diseased bees and diseased equipment.

Every bee-keeper in Alberta must register with the Supervisor of Apiculture. Any person who sells bee-keeping equipment or sells bees or conveys bees must send to the Supervisor the name and address of the receiver and the quantities conveyed or sold. A bee-keeper must clearly identify his apiary and hives in a manner satisfactory to the supervisor. A person may not bring into Alberta bees or used bee-keeping equipment without first having obtained written permission to do so from the Supervisor. Used bee-keeping equipment may not be sold or otherwise disposed of without permission from the Apiculture fieldman. Where the fieldman determines that a disease exists among bees or in bee-keeping equipment, he must inform the bee-keeper. Before the bee-keeper takes any resultant action affecting bees or equipment or honey, he must first obtain the written permission of the fieldman. The supervisor may order the bee-keeper to take such steps as may be necessary to eradicate the disease, or to destroy the bees or the bee-keeping equipment, or both. The Minister is empowered to make the necessary regulations.

BRAND ACT, RSA 1970, c. 33. Amendment: SA 1972, c. 101.

Minister of Agriculture.

Provides for the recording and reservation of brands.

Subject to the approval of the Minister, brands of any form or combination of characters may be allotted to be applied to any part of the body of any stock. The brand for sheep must be a fleece-paint, for poultry a tatoo on the web of either wing, for fur-bearing animals a tattoo on either ear.

The standing arrow brand is reserved for use only on cattle purchased by the owner of a recorded brand with a loan guaranteed by the Crown pursuant to regulations under Sections 8 of (a) the Department of Agriculture Act, or (b) a loan made or guaranteed by the Agricultural Development Corporation under the Agricultural Development Act.

A person who requires the allotment or renewal of the exclusive right to use a brand may make application to the Recorder of Brands. Every allotted brand and vent remains the property of the registered owner as long as he pays the renewal fees for the brand.

Other sections of the Act cover the transfer of brands and set down the brand requirements concerning dressed poultry.

DANGEROUS DOGS ACT, RSA 1970, c. 84.

Designated member of the Executive Council.

A justice may take cognizance of a complaint that a dog has bitten or attempted to bite a person, and if it appears to the justice that the dog ought to be destroyed, he must direct the council to destroy it.

A justice may take cognizance of a complaint that a dog is dangerous and not kept under proper control, and if it appears to the justice that a dog is dangerous, he may make an order directing the dog to be kept by the owner in a proper way or to be destroyed. Offences and penalties are described.

DOMESTIC ANIMALS (MUNICIPALITIES) ACT, RSA 1970, c. 112. Amendment: SA 1971, c. 63.

Minister of Agriculture.

Deals with fences, pound districts, municipal bylaws, pounds and pound keepers, mischievous animals, protection of animals from dogs, and driving or trailing of sheep.

The occupier of lands surrounded by a lawful fence is entitled to impound an animal that is found trespassing thereon, and claim damages. The procedure that must be followed when strays are found on community pastures is described.

A fence surrounding growing grain crops or grain in the process of being harvested is not deemed to be a lawful fence unless the outside limit of the fence is situated at least eight feet from the crop. A fence surrounding stocks of hay or grain is not to be deemed to be a lawful fence unless it is situated at least 20 feet from the stocks. Every municipality or part thereof where a bylaw for restraining animals from running at large has not been passed under this Act is a Pound District. An occupier of land in a Pound District may impound a stray animal found on his property.

The council of a municipality may by law direct that any or all domestic animals are to be prohibited from running at large in any part or parts of the municipality. An occupier of land in a municipality may capture an animal unlawfully running at large and may convey it to the nearest pound within the municipality.

Part VI covers protection of animals from dogs. A person may kill a dog in the act of pursuing, worrying or destroying cattle, horses, sheep, pigs or poultry elsewhere than on the enclosed land occupied by the owner of the dog. Part VII deals with driving or trailing of sheep. The rights of an owner when sheep are trespassing on land are specified. The procedure for handling a disagreement as to damages is outlined.

FUR FARMS ACT, RSA 1970, c. 154.

Minister of Agriculture.

Governs the licensing of fur farms; the sanitary conditions of premises; the importation of fur animals; the quarantine of a fur farm when an animal is suspected of having contracted a contagious or infectious disease; the exporters of skins and pellets; and the destruction of dogs found bothering fur-bearing animals and a fur farm.

HORNED CATTLE PURCHASES ACT, RSA 1970, c. 173. Amendment: SA 1971, c. 63.

Minister of Agriculture.

Inoperative. The horn penalty was removed by the government on February 1, 1972.

IMPROVEMENT DISTRICT STRAY ANIMALS ACT, RSA 1970, c. 181. Amendment: SA 1971, c. 63.

Minister of Agriculture.

Provides for impounding of stray animals and prohibits the running at large of certain animals in an improvement district.

The running at large of a stallion, bull, ram, he-goat, boar, or mischievous animals in an improvement district is prohibited. The Act provides both for the formation of pound districts and for the disposal of strays where there is no pound district. It makes provision for the sale of a pound animal and for appeals.

Part IV deals with the protection of animals from dogs. A person may kill a dog that he finds in the act of pursuing, worrying or destroying an animal elsewhere than on the land occupied by the owner or possessor of the dog. Other sections of this part spell out complaint procedure, civil liability and onus of proof. Part V covers offences and penalties and includes those for illegal impoundment and trespass.

LIVESTOCK BRAND INSPECTION ACT, SA 1971, c. 63. Amendments: SA 1972, c. 62.; 1975, cc. 56,63

Minister of Agriculture.

Governs brand inspection of livestock in the Province.

No livestock may be transported or driven within Alberta unless the livestock are accompanied by a livestock manifest. Livestock may not be transported or driven from Alberta to any other place unless they are accompanied by a permit issued by an inspector under this Act. A manifest is not required on animals that are being moved less than ten miles to a point other than the market, community pastures, forest reserve or feedlot. Stock can be moved over ten miles without a manifest to a veterinary clinic.

A certificate may be used to transport saddle horses to destinations outside of Alberta and to return the same horses to Alberta.

The only stock permitted to leave Alberta without a manifest and inspection is stock delivered directly to the market at Lloydminster, Saskatchewan, or Dawson Creek, British Columbia. Any livestock moved from point to point within Alberta and brought into a market or custom feedlot for weighing, resting or feeding, must be inspected.

Pedigreed livestock may be moved out of Alberta if accompanied by: (a) a livestock manifest and registration certificates, or (b) a livestock manifest and a bill of sale, or (c) where no sale transaction is involved, a livestock manifest on which the registration number and tattoo for each head of livestock is listed.

The operator of a country sale must issue a bill of sale to each purchaser. He must retain a copy of the bill of sale for five years. Any person who proposes to conduct at a point other than a market, a public livestock sale of more than 100 head, must give notice in writing to the Supervisor of Regulatory Services of the Department of Agriculture.

Any person who offers for sale, slaughter or transport out of Alberta or entry into a feed lot, livestock that (a) is not branded with his registered brand, or (b) is branded with his registered brand which has not yet peeled, shall ensure that the brand on which the last transaction was recorded is plainly visible to an inspector at the time of inspection.

Satisfactory bills of sale must be presented at the time the livestock is subjected to inspection.

Any person who is an owner or operator of a feedlot and who accepts livestock for entry onto the feedlot premises, other than livestock purchased from a market where they have been inspected, must notify the Supervisor or local inspector within 24 hours after the livestock have entered onto the premises. He is required to keep such livestock separate from any other livestock until the animals have been inspected or he has been notified that no inspection is necessary. An inspector may inspect the livestock at any public livestock sale, market or feedlot and may enter any premises for the purpose. Every contributor to a public livestock sale must furnish to the inspector proof of ownership.

The powers of the inspector pertaining to returning livestock to owners and determining ownership of animals, are described. Additional sections cover the handling of temporary permits, search of vehicles, inspection of livestock being driven, mis-description of livestock, alteration of a manifest, shipment of livestock without inspection, requirements regarding bills of sale, false reports, impounding of strays, and offences.

LIVESTOCK DISEASES ACT, 1971. SA 1971, c.64.

Minister of Agriculture.

Provides for the establishment and administration of disease-control areas.

Upon receiving a petition for the control of a communicable livestock disease signed by at least two-thirds of the producers in a district, or being satisfied that a communicable disease exists in an area, the Minister may recommend that the Lieutenant Governor in Council make a control order. The Director of Veterinary Services is to administer such control areas. With the prior consent of the Minister, he may establish a quarantine area within the control area and impose restrictions on the movement of livestock, vehicles, persons or anything likely to spread the disease.

Regulations which the Lieutenant Governor in Council may make cover such things as: (1) control of the sale of medicine; (2) inspection of livestock; (3) construction and sanitation of premises; (4) keeping, transporting and handling of livestock; (5) livestock health programs; (6) humane slaughter of livestock for food; (7) disposal of affected livestock; and (8) control and eradication of communicable diseases of livestock generally.

The Minister by regulation must make a list of communicable diseases. A person knowing of or suspecting an outbreak of a communicable disease must report the fact in writing to the director within 30 days of his knowledge or suspicion. No person may sell any meat, offal or product from a carcass of affected livestock unless it has been rendered safe by sterilization. The Minister is required to make regulations specifying what constitutes sterilization. Other sections of the Act cover offences, seizure of livestock and penalties.

LIVESTOCK INJURY ACT, RSA 1970, C. 217.

Minister of Agriculture.

Inoperative.

STRAY ANIMALS ACT, BILL 43, 1976

Minister of Agriculture.

Sets down the rules governing the liability for damage and expense due to trespassing livestock, and provides for the protection of livestock and domestic fowl from dogs.

When this Act is proclaimed, the Domestic Animals (Municipalities) Act and The Improvement District Stray Animals Act are repealed.

This act also set out the rights of the owner and occupier to capture trespassing livestock. The powers and duties of the inspector are described. Where there is disagreement between the person and the inspector as to the amount of damage, the Minister may make an assessment and a determination.

Part 3, section 21 permits an owner or a person in possession of the livestock to kill a dog that is worrying injuring or destroying livestock or poultry on his property. This person may also apply to a provincial judge for an order that a dog be killed. The provincial judge may order the dog to be killed or make such other order as appears appropriate to him in the circumstances.

Part 4 sets down the regulatory-making power of the Lieutenant Governor and outlines offences and penalties under the Act. Livestock are not allowed to stray on the highway. They must be directed by a person competent to control them.

ALBERTA

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BRITISH COLUMBIA

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BRITISH COLUMBIA

1. ADMINISTRATION

DEPARTMENT OF AGRICULTURE ACT, R.S.B.C. 1960 c. 100.

Minister of Agriculture.

Establishes the Department of Agriculture and sets out its duties and responsibilities.

The Department of Agriculture shall have control of the administration of laws relating to agriculture and horticulture in all the branches, the pastoral industries of the Province, and allied subjects.

The Department of Agriculture also shall have the supervision of all model and experimental farms, and all agricultural, horticultural, livestock, poultry and dairy associations and institutes receiving government aid. The officers of the above mentioned societies, all government agents or other public officers of the Province, shall provide the Department of Agriculture with all such information as it may request.

II. AGRICULTURAL SOCIETIES AND EDUCATION

AGROLOGISTS ACT, R.S.B.C. 1960 c. 6.

British Columbia Institute of Agrologists.

The British Columbia Institute of Agrologists is established under this Act.

The Act specifies eligibility criteria and makes provisions respecting examinations, discipline and administration of the Institute. No person except a member of this Institute may use the title of agrologist.

FARMERS' AND WOMEN'S INSTITUTE ACT, R.S.B.C. 1960 c. 139. Amendment: S.B.C. 1961, c. 18.

Minister of Agriculture.

Enables farmers' and women's institutes to be incorporated and registered as an association under the Co-operative Associations Act, and prescribes their objects, powers, and administration.

The objects for which an institute may be incorporated are: to improve conditions of rural life; to promote the theory and practice of agriculture; to arrange on behalf of its members for the purchase, distribution or sale of products; to act on behalf of its members in all matters relevant to agricultural pursuits and rural development; and to promote home economics, public health and child welfare, and education and better schools.

Grants may be made available by the provincial government to institutes and to associations carrying on work similar to that of an institute. Provision is made for the appointment of a Superintendent of Farmers' Institutes, for the election of an Advisory Board to the Minister and for the establishment of a Provincial Women's Institute.

VETERINARY MEDICAL ACT, S.B.C. 1967, c. 55. Amendment: S.B.C. 1970, c. 49; 1973 (2nd Sess.), c. 159; 1975, c. 37.

British Columbia Veterinary Medical Association.

Provides for the incorporation of the British Columbia Veterinary Medical Association.

The Veterinary Association of British Columbia becomes the British Columbia Veterinary Association, a body corporate, governed by the Council of the Association. To carry out its objects, the Association may pass by-laws which include the admission and registration of members, the discipline of members and the suspension or forfeiture of membership. No person not registered under this Act or who is under suspension may practice veterinary medicine in the Province.

SOCIETIES ACT, R.S.B.C. 1960, c. 311. Amendments: S.B.C. 1961, c. 57 and c. 59; 1962, c. 58; 1963, c. 42; 1973, c. 84 O.C.

Attorney General.

Provides for the formation and regulation of societies organized for the purposes of (a) providing the payment of benefits or the rendering of services to their members or others, or (b) promoting any object of a national, patriotic, religious, agricultural nature, or any useful object, but not for the purpose of carrying on any trade, industry or business.

Societies registered do not have the power to confer degrees or diplomas. Also, no society may divide its capital into shares or declare any dividend or distribute its property among its members during its existence.

The procedure for incorporation, the effect of incorporation, the powers, limitations, duties and obligations of a society are set down. Schedules are attached.

III. ASSISTANCE

1. Financial

AGRICULTURAL CREDIT ACT, S.B.C. 1973. (2nd Sess.) c. 96. Amendment: 1974 c. 4.

Minister of Agriculture.

Provides for financial assistance to a farm operator, or a person who is likely to become a farm operator, by means of a provincial guarantee of payment to a bank or credit union.

A farm operator may, in accordance with this Act and the regulations, make application to the Minister for agricultural credit. The purposes for which credit may be used are specified (land, buildings, machinery, livestock, production quotas, working capital, land improvements).

The Minister of Finance may, on behalf of the government of the Province, guarantee the payment to a bank of all or any part of monies owing by a farm operator to that bank, and the Minister of Finance may prescribe the form and manner of such guarantee. Where a farm operator is undertaking an agricultural program that is approved by the Minister, the Minister may discount, or reimburse in accordance with the regulations, all or part of the amount of principal or interest owing or paid by that farm operator in respect of agriculture credit.

Provision is made for the joint participation by the Government of the Province and the Government of Canada or of any other province respecting agricultural credit.

For the purpose of carrying out the provisions of this Act according to their intent, the Lieutenant Governor in Council may make regulations and orders.

BRITISH COLUMBIA CROP INSURANCE ACT, S.B.C. 1966, c. 4.

Minister of Agriculture.

Enables the Province to enter into the Federal-Provincial Agreement, thus permitting the producers of the Province to avail themselves of the provisions of the Government of Canada Crop Insurance Act.

The Minister of Agriculture of British Columbia may enter into, execute, and carry out agreements respecting crop insurance in the Province with the Minister of Agriculture of Canada.

The Lieutenant Governor in Council may make regulations with respect to the establishment and administration of a scheme of crop insurance, including the following: establishing the organization of a corporate body; prescribing its powers and duties with respect to management administration, the provision of crop insurance and the making of arrangements, contracts and agreements; providing for the establishment of a Crop Insurance Fund; and prescribing measures for the recovery of unpaid premiums under the crop insurance scheme.

BRITISH COLUMBIA FEED-GRAIN ASSISTANCE ACT, R.S.B.C. 1960, c. 36.

Minister of Agriculture.

The purpose of this Act is to allow the Minister to pay the whole or any part of the railway freight charges incurred by any person for transportation of grain from the Peace River Area to the railway destination of the grain if the grain is used exclusively, within the province, for the use of feed for livestock and poultry.

COLOURED GASOLINE TAX ACT, R.S.B.C. 1960, c. 63. Amendments: S.B.C. 1961, c. 59; 1967, c. 11; 1971, c. 9; 1973, c. 15; 1973 (2nd Sess.) c. 101; 1975, c. 12; 1976, c. 32.

Minister of Finance.

Sections 14A and 14B are of interest to agriculture. These sections, added in 1971 and 1973, provide exemption or refund of 2 cents per gallon. A bona fide farmer is not required to pay tax under this Act on gasoline purchased for use in the operation of his family farm or his family truck and a vendor is not required to collect any tax under this Act on that gasoline. Provision is made for the recovery of the tax paid in the amount of 2 cents per gallon upon the furnishing of satisfactory proof as prescribed by the regulations.

DISTRESS AREA ASSISTANCE ACT, R.S.B.C. 1960, c. 116. Amendment: S.B.C. 1973, c. 28; 1973 (2nd Sess.), c. 113.

Minister of Agriculture.

Makes provision for government-guaranteed loans when abnormal conditions jeopardize the livelihood of farmers in a designated area.

Where an area has been designated as "distress area" the Lieutenant Governor in Council may authorize the Minister to enter into an agreement with the Government of Canada to share equally in a guarantee to a bank or credit union against loss from loans made to farmers in a distress area for the purpose of re-planting crops that were lost or for purchasing feed for livestock.

Where an area has been designated a "special assistance area", the Lieutenant Governor in Council may, for the purpose of subsidizing farmers for loss of revenue as a result of abnormal drought, flood, or frost conditions, authorize the Minister to enter into an agreement with a bank or credit union whereby the Province (a) guarantees the bank against loss on monies advanced to farmers in such designated area; and (b) discounts in accordance with the regulations all or part of the principle or interest owing to the bank by a farmer in such designated assistance area. The Minister may establish boards to be known as Distress Area Assistance Advisory Boards, for the purpose of advising him on matters respecting the operation and administration of this Act in respect of any designated part of the Province.

FARM INCOME ASSURANCE ACT, S.B.C. 1973 (2nd Sess.) c. 115. Amendment: S.B.C. 1975, c.2.

Minister of Agriculture.

Provides for Federal-Provincial cost sharing and co-operation in a farm income plan.

Legislative authority is provided for the establishment of a fund or funds for a program that provides for the paying of money to, or guaranteeing, or assuring income for, such farmers in the province as the Lieutenant Governor in Council may designate. It also provides for a joint participation by the Government of the Province and the Government of Canada or any other province in a farm income plan.

The powers which the Lieutenant Governor in Council has regarding the establishing, carrying out and administering of any farm plans are enumerated.

GUARANTEED AVAILABLE INCOME FOR NEED ACT, S.B.C. 1976, c. 19.

Minister of Human Resources.

Repeals the Social Assistance Act, Guaranteed Minimum Income Assistance Act and the Handicapped Persons Income Assistance Act, and consolidates in one act the income assistance and social services legislation.

“Income assistance” and “social services” are defined in the Act.

Payments out of money authorized by an Act of the Legislature may be made by the Minister for the administration of income assistance and social service programmes, and for the provision of income assistance and social services to assist individuals and families.

In accordance with the regulations, the Minister may establish a system of incentives, benefits and other programmes for the purpose of encouraging recipients of income assistance to work, or to participate in training, retraining, rehabilitation or other employment-related services.

Regulations may be made by the Lieutenant-Governor in Council to prescribed classes of income assistance or social services, define which persons qualify for these classes, prescribed rules of eligibility, and determine the value of an individual's assets and the rate or amount of assistance to which he or she is entitled, etcetera.

Any reference to the Social Assistance Act, Guaranteed Minimum Income Assistance Act and the Handicapped Persons Income Assistance or regulations made under them are deemed to be a reference to the Guaranteed Available Income for Need Act or the regulations under it.

GUARANTEED MINIMUM INCOME ASSISTANCE ACT, S.B.C. 1972 (2nd Sess.) c. 3, O.C.

Minister of Human Resources.

This Act has been repealed and replaced effective October 1, 1976, with the Guaranteed Available Income for Need Act (See above). Note that the sections and regulations under the Guaranteed Minimum Income Assistance Act still apply under the new Act until they are amended.

MUNICIPAL ACT, R.S.B.C. 1960, c. 255. Amendment: S.B.C. 1973 (2nd Sess), c. 133.

Minister of Municipal Affairs.

Provides for the assessment of land.

Land classified as farm land shall be assessed at the value for the purpose without regard for its value for other purposes. The Municipal Assessor may classify land of five or more acres in an area as farm land after taking into consideration the proportion of the

land used for agriculture and related purposes, the time devoted to its cultivation or use by the owner or his aide, and the relationship between the value of the product of such land and the area of land so cultivated. An area of more than two acres but less than five acres may be classified as farm land where the operator derives the greater part of his income from that land.

All charges in respect of the carriage and delivery of water for irrigation of land from the Municipality's irrigation works are charged upon the lands irrigated and are deemed to be tax as levied under the Act. The Municipal Council may by bylaw provide, subject to the Milk Industry Act, for the regulation of the delivery of milk and milk products to consumers; for the fixing and imposition of market fees; for the regulation or prohibition of the location, construction and use of stables, slaughterhouses, abattoirs, fertilizer-products plants, animal pens or enclosures and livery stables; for the regulation and compulsory measurement or weighing of articles of food, for regulating or prohibiting the keeping of animals, birds and bees throughout the Municipality or within a defined area; and for the impounding of animals.

SOCIAL SERVICES TAX ACT, R.S.B.C. 1960, c. 363 (Consolidated 1973).

Minister of Finance.

Provides for the collection of a tax on tangible personal property at the rate of five percent of the purchase price of the property purchased.

This Act is of importance to Agriculture because of the exemptions for agricultural property. The following classes of tangible personal agricultural property are specifically exempted from the provisions of this Act: (a) farm implements, farm machinery, horse-drawn vehicles, farm tractors, and parts for the same; horses, livestock, poultry, binder twine, metal wire or netting for fences, and harness for horses, when acquired and used by a bona fide farmer to be used solely for the needs of his farm; (b) grain, mill, and other agricultural feeds, seeds, fertilizers, insecticides, fungicides, and weed-control chemicals.

IV. CO-OPERATIVES

CANADA-BRITISH COLUMBIA POTATO-WAREHOUSE CONSTRUCTION ASSISTANCE ACT, R.S.B.C. 1960, c. 41.

Minister of Agriculture.

Enables the Province to enter into Federal-Provincial Agreement for the construction of potato warehouses.

The Lieutenant Governor in Council may authorize the Minister of Agriculture of the Province to enter into, execute and carry out agreements with the Minister of Agriculture of the Government of Canada and any co-operative association, in terms approved by the Lieutenant Governor in Council, respecting the construction of potato-warehouses in the Province.

CO-OPERATIVE ASSOCIATIONS ACT, R.S.B.C. 1960, c. 77. Amendments: S.B.C. 1963, c. 10; 1965, c. 50, and 1973, c. 84. O.C.; 1975, c. 17.

Attorney General.

Provides for the incorporation of co-operative associations organized, operated and administered on a co-operative basis, and regulates their conduct.

Five or more persons may, subject to the approval of the supervisor, form an association under this Act for the purpose of carrying on any lawful industry, trade or business on a co-operative basis except the business of banking, insurance, or of a trust company, or the construction and operation of railways.

Every association incorporated under this Act must include in its name the word Co-operative.

The capacity and powers of an association acting as an agency designated by a marketing board are described.

Incorporation procedure, powers and limitations, administration, duties and obligations of an association are described. The Lieutenant-Governor in Council is empowered to appoint a Supervisor of Co-operatives and to prescribe his powers and duties.

The 1975 amendment authorizes an institute under the Farmers' and Women's Institutes Act to be registered as an association under this Act. Schedules are attached.

V. LAND POLICY

1. Development

AGRICULTURAL LAND DEVELOPMENT ACT, R.S.B.C. 1960, c. 140. Amendments: S.B.C. 1966, c. 15; 1973, c. 33; 1973 (2nd Sess.), c. 97.

Minister of Agriculture.

Enables the Province to assist farmers in clearing land. (Previously the Farmers' Land Clearing Assistance Act.)

For purposes of this Act, the net monies borrowed are to be used to purchase, house, maintain, repair and renew machinery and equipment suitable for clearing and developing of land for agricultural purposes. The Minister may enter into a contract with any person who is the owner or occupier of land suitable for farming whereby that land may be cleared and developed. He may enter into contract with any person respecting the work to be done or the materials to be supplied for the purpose of clearing or developing land.

Other sections of the Act cover procedures to be followed when installment payments are not kept up. The Lieutenant Governor in Council may make such regulations as he considers necessary or advisable.

AGRICULTURAL REHABILITATION AND DEVELOPMENT (BRITISH COLUMBIA) ACT, S.B.C. 1962 c. 2.
Amendments: S.B.C. 1969, c. 1; 1974, c. 5; 1976, c. 32.

Minister of Agriculture.

An Act respecting the Federal-Provincial Agreement which facilitates the extension of financial assistance for: (a) projects for alternative uses of land; (b) rural development projects; and (c) soil and water-conservation projects.

The Lieutenant Governor in Council may authorize the Minister of Agriculture of the Province to enter into and carry out an agreement with the Federal Minister of Agriculture in accordance with the provisions of the Agricultural Rural Development Act. For any project undertaken, expenditure incurred by the province shall not exceed the expenditure by Canada. The 1974 amendment allows the Minister of Agriculture to directly undertake and pay for projects under this Act where satisfactory agreements with Canada cannot be made or cannot be made at an opportune time, or where the expenses of a project exceed the expenses provided for in an agreement with Canada.

The Minister of Agriculture is authorized to enter into an agreement or agreements with any corporation respecting approved projects under this Act, and such corporation is thereby authorized and empowered to carry out the agreement.

For the purpose of carrying out of the provisions of this Act according to their intent, the Lieutenant Governor in Council may make appropriate regulations and orders.

DITCHES AND WATER COURSES ACT, R.S.B.C. 1960 c. 117. Amendment: S.B.C. 1962, c. 3.

Minister of Lands, Forests and Water Resources.

This Act applies only to a municipality designated by the Lieutenant Governor in Council for the purposes of a specified scheme or schemes involving the construction and maintenance of a ditch or ditches extending into unorganized territory.

The provisions of this Act apply only to ditches, the construction cost of which will not exceed \$3,000 unless special authority is granted by the Lieutenant Governor in Council. The Act describes how the cost of the ditch will be apportioned and the procedure to be followed in having the project examined by an engineer and the ditch constructed and maintained.

ENVIRONMENT AND LAND USE ACT, S.B.C. 1971, c. 17.

Minister of Lands, Forests and Water Resources.

Establishes a committee to be known as the "Environment and Land Use Committee" and outlines its duties.

The committee is to consist of a chairman and such other members of the Executive Council as the Lieutenant Governor in Council may appoint.

It is the duty of the committee, and it is empowered to (a) establish and recommend programs designed to foster increased public concern for and awareness of the environment; (b) inquire into and study any matter pertaining to the environment, or land use; (c) prepare reports and make recommendations to the Lieutenant Governor in Council respecting any matter relating to the environment and the development and use of land and other natural resources and (d) insure that the aspects of preservation and maintenance of the natural environment are fully considered in the administration of the land use and resource development commensurate with a maximum beneficial land use, and to minimize and prevent waste of such resources and despoliation of the environment occasioned thereby.

GREEN BELT PROTECTION FUND ACT, S.B.C. 1972, c. 24. Amendments: S.B.C. 1976, c.52.

Minister of Finance.

The purpose of this Act is to encourage the establishment and preservation in perpetuity of areas of lands, commonly known as "green belts," throughout the province.

Moneys may be paid from the Consolidated Revenue Fund on authorization by the Legislature to acquire land for the purpose of establishing and preserving green-belt areas.

The Minister of Finance may appoint a committee to advise him with respect to expenditures under the Act, and to make recommendations respecting the acquisition of land by the Province for the establishment of green-belt areas to be used for park lands without camping, for forestry reserve, for lease for farming purposes or for any other purpose designated by the Lieutenant Governor in Council.

LAND ACT, S.B.C. 1970, c. 17; 1971, c. 29; 1972, c. 58; 1974, c. 87; BILL 29, 1976.

Minister of Environment.

Governs the disposition of Crown lands.

The Act outlines the powers of the Minister and the Lieutenant-Governor in Council and covers dispositions, designation of use, grants and surveys of, and application and payment procedures for Crown land.

The maximum amount of Crown land which may be disposed of by Crown grant at any one time to any one applicant is 1,280 acres, with certain exceptions including the lease of land for grazing or watershed purposes.

Except where, in the opinion of the Minister, Crown lands are required for agricultural settlement and development or other higher economic use, no Crown lands shall be disposed of by Crown grant under this Act that are suitable for the production of timber and pulpwood.

LAND COMMISSION ACT, S.B.C. 1973, c. 46. O.C.

Minister of Agriculture.

Provides for the establishment of a Provincial Land Commission to set up and control reserves of agricultural land, green-belt land, land-bank land, and park land.

The objects and powers of the Commission are described. It is the object of the Commission to (a) preserve agricultural lands for farm use; and (b) encourage the establishment and maintenance of family farms and land in an agricultural land reserve, and a use compatible with the preservation of family farms and farm use of the land. For these and the other objects outlined, the Commission has the power and capacity, by itself or in co-operation with the Government of Canada, or any of its agencies or corporations, or with any department of Government or with the Municipality or Regional District, to purchase or otherwise acquire, hold, administer, and dispose of land.

The Commission may, with the prior approval of the Lieutenant Governor in Council, designate land that is suitable for farm use as agricultural land; upon being so designated, the agricultural land is established as an agricultural land reserve. The exclusions from agricultural land reserve are detailed. The Lieutenant Governor in Council may exclude any land from the reserve.

An owner of land aggrieved by a designation by the Commission of his land as part of an agricultural land reserve may apply to the Commission in the manner prescribed by the regulations to have his land excluded from the agricultural land reserve. The Commission after hearing may allow the application on such terms and conditions as it considers advisable, or it may refuse the application.

No person shall occupy or use agricultural land designated as an agricultural land reserve for any purpose other than farm use, except as permitted by this Act or the Regulations or by order of the Commission, upon such terms and conditions as the Commission may impose. The Commission may register a caveat in the appropriate Land Registry Office restricting the agricultural land described therein to farm use. The exemptions under the Act are specified, as are the additional powers of the Commission regarding agricultural land reserve.

The owner has no right to compensation in respect of reserve land. Land shall be deemed not to be taken or injuriously affected by reason of the designation by the Commission of that land as an agricultural land reserve.

MUNICIPAL AND IMPROVEMENT DISTRICT REHABILITATION AND DEVELOPMENT ACT, R.S.B.C. 1960, c. 201.

Amendment: S.B.C. 1964, c. 25.

Minister of Municipal Affairs.

Provides mechanisms whereby irrigation systems may be rehabilitated.

The Lieutenant Governor in Council is empowered to make regulations providing for the imposition of a charge or charges on land situated within the area to be rehabilitated. The charge, which is to be imposed on a per-acre basis, shall be deferred, charged and collectable only upon sale of the land, or at the end of a period of years.

SOIL CONSERVATION ACT, R.S.B.C. 1960, c. 365. Amendments: S.B.C. 1973 (2nd Sess.), c.151.

Minister of Agriculture.

Permits the Minister to take steps to conserve or rehabilitate agricultural land or control the removal of top soil in the area of the local authority.

The powers of the Minister are stated. For the purpose of carrying into effect the provisions of this Act according to their true intent, the Lieutenant Governor in Council may make regulations to prevent and control soil erosion and soil debilitation, reclaim agricultural land, and maintain soil fertility by drainage and other means.

No person shall remove top soil from agricultural land that is part of an agricultural land reserve, unless he has a valid and subsisting permit under this Act or any other Act to do so. The requirements for a permit are described.

The local authority shall appoint an officer to enforce and administer, subject to the directions of the local authority or a Top Soil Committee, Section 4A to 4D and the regulations, within the area of the local authority. The responsibility of the local authority and the Top Soil Committee are defined.

Notwithstanding the Land Commission Act, or any regulation made thereunder, where a permit is issued under this Act for the removal of top soil from agricultural land that is part of an agricultural land reserve, the removal of top soil in accordance with the permit shall be deemed to be a farm use and not in contravention of Section 10 of the Land Commission Act.

SOLDIER'S LAND ACT, R.S.B.C. 1960, c. 366. Amendments: S.B.C. 1963, c. 41; 1964, c. 52; 1971, c. 56.

Minister of Environment.

Provides for the allocation of Crown Lands to a soldier.

The Lieutenant Governor in Council may reserve from sale or other disposition, except for purposes of this Act, any areas of Crown Lands; may purchase and improve lands for the purposes of this Act; and may authorize payment for this. The Minister may lease or grant parcels of the land to any soldier.

VETERANS' LAND SETTLEMENT ACT, R.S.B.C. 1960, c. 399.

Minister of Environment.

Provides for Federal-Provincial co-operation in programs for the settlement of war veterans on provincial lands.

The Government of British Columbia may enter into an agreement with the Government of Canada for the settlement of war veterans. The Provincial Government may convey to the Director of the Veterans' Land Act of Canada, 1942, any tract of land not exceeding 160 acres. Every tract of land so conveyed shall be used for the settlement of a veteran.

2. Tenure

HOMESTEAD ACT, R.S.B.C. 1960, c. 175.

Attorney General.

After a homestead has been registered, it shall be free from forced seizure or sale by any process for or on account of any debt or liability incurred after its registration, except if the value of the homestead exceeds \$2,500. Where this occurs, the amount of the value in excess of \$2,500 is liable to seizure or sale.

If a person holding a homestead dies intestate leaving a widow and no children, the widow is entitled to the homestead absolutely; if leaving only children and no widow, the children share equally in the homestead which is available when the youngest reaches 21 years of age; and if leaving a widow and children, the homestead passes wholly to the widow during the minority of the children or while the widow remains unmarried.

LANDLORD AND TENANT ACT, R.S.B.C. 1960, c. 207. Amendments: S.B.C. 1963, c. 21; 1970, c. 18; 1971, c. 58; 1973, c. 47; 1974, c. 109; 1975, c. 4.

Attorney General.

Provides for remedial action on the part of the landlord against the tenant for recovery of rent in arrears and against a tenant holding over land after the expiration of his lease.

The methods of recovering arrears of rent, procedure where a tenant refuses to quit possession, removal of chattels taken in Execution, and rights of landlord upon the bankruptcy or insolvency of a tenant are described.

RURAL TELEPHONE ACT, R.S.B.C. 1960, c. 343.

Minister of Public Works.

Permits a telephone company to take, use or acquire land or property in whomsoever vested. In this Act, "company" includes every subsisting company incorporated under The Rural Telephone Act, Chapter 44 of the statutes of 1912.

WIFE'S PROTECTION ACT, R.S.B.C. 1960, c. 407.

Attorney General.

Protects a wife against disposition by her husband of his interest in the property without her consent, but that protection is subject to the claims of judgement creditors.

The disposition of the interest of a married man in a homestead shall be null and void unless made with the written consent of his wife. When at the time of death of the husband, the wife is living apart from him under circumstances disentitling her to alimony, no life estate shall vest in the wife nor shall she take any benefit under this Act.

The provisions of this Act do not apply if the marriage between the woman with respect to whom the entry is made under the Act and the man in whose name the homestead is registered, has been dissolved or nullified.

3. Miscellaneous

TRESPASS ACT, R.S.B.C. 1960, c. 387. Amendments: S.B.C. 1962, c. 64; 1967, c. 54; 1971, c. 66.

Minister of Agriculture.

Deals with trespassing by persons or cattle. Includes horses, sheep, swine and goats.

The Act sets out provisions respecting trespass and prosecution, entrance of land surveyors, trespass of cattle and settlement of disputes. The recent amendment provides that owners of adjoining lands must keep up and repair the fence that marks the boundary between them, and that each shall bear one-half the expense. Regulations under the Act define lawful fences.

WILDLIFE ACT, S.B.C. 1966, c. 55. Amendments: S.B.C. 1968, c. 58; 1971, c. 69; 1973, c. 84; 1974, c. 64 and c. 87.

Minister of Recreation and Travel Industry.

Prohibits trespassing, hunting, shooting on posted property or without the consent of the owner or occupier of the land.

Sections 14 and 15 of this Act are of importance to Agriculture. Section 14 provides that no person shall hunt over or trap in or on, or allow or cause his dog to enter, any growing or standing grain or any cleared or cultivated land without the consent of the occupier of the land.

Section 15 prohibits trapping and hunting, without the consent of the owner or occupant or lessee, on (a) land enclosed (i) by a fence other than a fence erected on crown lands, (ii) by water or other natural or artificial boundary along which are posted, not more than 300 feet apart, notices prohibiting trespassing, hunting or shooting; or (b) land being used for agricultural, or pastoral, or horticultural purposes, at the corners and at the gates and points of access of which are posted notices that (i) trespassing is prohibited, or (ii) hunting is prohibited, or (iii) shooting is prohibited.

VI. LIENS AND OTHER LEGAL CONTROLS

THRESHERS' LIEN ACT, R.S.B.C. 1960, c. 379.

Minister of Agriculture.

Permits a person harvesting grain for another person to place a lien upon the grain to the extent of his claim for threshing or cutting of the grain.

Every thresher who threshes or cuts and threshes grain for another person for a fixed price has from the time of the commencement of the threshing or cutting a lien upon the grain to the extent of his price for threshing or cutting of the grain. For the enforcement of his lien, the thresher may remove a sufficient quantity of grain to pay his claim. The lien of the thresher under this Act has priority over all other writs of execution against the owner of the grain and over all rights of distress for rent reserved upon the land upon which the grain is grown.

CATTLE LIEN ACT, R.S.B.C. 1960, c. 44.

Minister of Agriculture.

Enables the collection of monies owed for care of cattle.

This Act specifies that a lien exists on any cattle and any effects for indebtedness, for stabling, pasturing or caring for such cattle. The responsibility of the person detaining the animals or effects is described. He has the power to sell the same by public auction after three months, reimburse himself and pay over to the owner the balance. In case the owner cannot be found, the balance must be paid to the registrar or the County Court.

MOTOR-VEHICLE ACT, R.S.B.C. 1960, c. 253. Amendment: 1973 (2nd Sess.) c. 132; S.B.C. 1975, c. 46; 1976, c. 35.

Attorney General.

Provides for special consideration of vehicles used exclusively in the conduct of agricultural operations.

The provisions of this Act respecting the registration and licensing of motor vehicles and trailers and the licensing of chauffeurs and drivers of motor vehicles do not apply to prohibit temporary driving, propelling, drawing or moving of any implement of husbandry on a highway by or on behalf of a bona fide farmer, unless it is used to carry passengers or goods other than farm goods.

A special licence is required for tractors used to haul farm produce and supplies to and from the market. A licence for a farm tractor can not be issued unless the insurance premium has been paid and a certificate of insurance issued. No person under the age of 15 may operate or drive an implement of husbandry on a highway.

POUND DISTRICT ACT, R.S.B.C. 1960, c. 292. Amendments: S.B.C. 1962, c. 49; 1967, c. 36.

Minister of Agriculture.

Provides for the impounding of animals and makes provision for the sale of impounded animals and disposal of the proceeds.

The Lieutenant Governor in Council may constitute as a pound district any part of the Province not within the limit of a municipality. No animal shall be permitted to run at large within any pound district and a person who permits an animal to run at large is guilty of an offense.

In any pound district, the Minister may appoint one or more pound-keepers who shall be responsible for keeping a pound book; caring for the pound and the impounded animals; and notifying the owners of impounded animals. This Act also covers the sale of impounded animals and disposal of the proceeds.

VII. MARKETING

1. General

COMMODITIES RETAIL SALES ACT, R.S.B.C. 1960, c. 65.

Attorney General.

Prohibits the selling of any grocery product at less than 5% above cost. There are provisions covering perishable goods and dealing with the actions of retail meat dealers. What constitutes prima facie evidence of a sale at less than 5% above the cost is outlined. The Lieutenant Governor in Council is empowered to make regulations and appoint inspectors.

HEALTH ACT, R.S.B.C. 1960, c. 170. Amendments: S.B.C. 1961, c. 25; 1962, c. 25; 1965, c. 16; 1966, c. 20; 1967, c. 21; 1971, c.23; 1973, c.38, 1976, c.32.

Minister of Health Services and Hospital Insurance.

Provides for the regulation and licensing of slaughterhouses, and also for the regulation of creameries, dairies and market gardens.

The Lieutenant Governor in Council may make and issue such general rules, orders, and regulations as he deems necessary to provide for and to regulate (a) the inspection, licensing, method of constructing, furnishing, equipping and maintaining, cleansing, and disinfecting of all slaughterhouses and other places in which animals are killed and their flesh prepared for sale or to be used for food; (b) the prevention of the use of noxious manures and fertilizers, and of manures and fertilizers dangerous to the public health; (c) the regulation of the situation, equipment and its management, and maintenance of all creameries, dairies and market gardens; and (d) the prohibition of the use or sale of milk from cows suffering from tuberculosis, and of the use, sale or exposing for sale of the flesh of animals affected by that disease.

Other sections of the Act provide for the regulation of vegetable supplies, the examination of food supplies exposed for sale, and the destruction of unsound food supplies.

NATURAL PRODUCTS MARKETING ACT, S.B.C. 1974 c. 111.

Provides for the promotion, control, and regulation of the transportation, packing, storage, and marketing of natural products within the Province; provides for the establishment of the British Columbia Marketing Board, and provides for marketing commissions.

The Lieutenant Governor in Council may establish, amend and revoke schemes promoting, controlling, and regulating within the Province transportation, packing, storage and marketing of natural products; and may constitute marketing boards and commissions to administer these schemes and vest in these boards or commissions the powers needed to exercise effective control of the marketing of natural products.

The British Columbia Marketing Board (the Provincial Board) and every marketing board or commission may co-operate with the Federal Board to regulate the marketing of any natural product. The Federal Board may, with the approval of the Lieutenant Governor in Council, exercise any of its powers with reference to the marketing of a natural product within the Provincial jurisdiction, to the like extent and the like effect as those powers are exercisable by or pursuant to the Agricultural Products Marketing Act (Canada) or the Farm Products Marketing Agencies Act (Canada), with reference to the marketing of that natural product. The powers of boards and commissions and related matters are described. Provisions regarding constitutionality are outlined.

SYNTHETIC FOOD PRODUCTS ACT, S.B.C. 1971, c. 61.

Minister of Agriculture.

Prohibits synthetic food products unless exempted by regulation.

No person shall manufacture, process, sell, offer for sale, or have in his possession for sale a synthetic food product unless it is exempted from this prohibition by the regulations. No person shall advertise or describe any synthetic food product for human consumption using words, designations, descriptions or illustrations that are the same or similar to, or imitative of, a natural food product, or that are used in combination with words, designations, descriptions or illustrations used in connection with natural food products, or that are likely to be construed as referring to natural products.

The Minister may appoint inspectors to administer and enforce this Act. For the purpose of carrying out the provisions of this Act according to their intent, the Lieutenant Governor in Council may make such regulations and orders as are ancillary thereto and not inconsistent therewith.

2. Crops

FRUIT, VEGETABLES AND HONEY GRADES ACT, R.S.B.C. 1960, c. 157.

Minister of Agriculture.

Provides for the grading and inspection of fruit, vegetables and honey within the province (excluding products for export or for resale for export from the Province).

Subject to the approval of the Lieutenant Governor in Council, the Minister may make regulations establishing grade; designating inspection points; prescribing the powers and duties of inspectors; providing for the exemption from this Act or the regulations of any person or groups of persons; and providing for the inspection, grading, packaging and packing, marking, handling, shipping, transporting, or advertising of these products within the Province. The offenses under the Act are listed.

3. Livestock

BEEF GRADING ACT, S.B.C. 1973 (2nd Sess.) c. 98.

Minister of Agriculture.

Establishes procedures under which the carcasses of cattle may be defined and graded. The purpose of this legislation is to establish a system of inspecting, grading, and branding carcasses of beef in the Province.

The Minister is provided with the authority to appoint persons to be inspectors for the purpose of enforcing and administering this Act.

When the establishment is subject to the Canada Agricultural Products Standards Act, the Minister may order that the establishment is subject to this Act. The Lieutenant Governor in Council may, in making any regulation under this Act, incorporate any

code, standard, regulation or schedule, or any part thereof, made under the Canada Agricultural Products Standards Act. The powers of inspectors and the penalties for offenses are outlined.

DAIRY INDUSTRY (BRITISH COLUMBIA) ACT, R.S.B.C. 1960, c. 93.

Minister of Agriculture.

The federal Dairy Industry Act is given the force of law in the Province of British Columbia insofar as it is within the legislative competence of the Province and outside that of Canada.

HOG GRADING ACT, R.S.B.C. 1960, c. 174.

Minister of Agriculture.

Provides for the inspection and grading of hog carcasses.

The Lieutenant Governor in Council may authorize the Minister to make regulations establishing grades for hog carcasses; requiring any establishment to grade hog carcasses; providing for the inspection, grading and marking of hog carcasses; and prescribing the fee payable for inspection.

The Minister may appoint inspectors to carry out the provisions of this Act. Every inspector has power to enter any premises where hogs are killed or where hog carcasses are cut, handled or otherwise disposed of, and to inspect any hog carcass found there; to stop any conveyance to inspect both the conveyance and any hog carcass; and to require the production of records relating to hog carcasses.

LIVESTOCK AND LIVESTOCK PRODUCTS (BRITISH COLUMBIA) ACT, R.S.B.C. 1960, c. 222.

Minister of Agriculture.

Provides intra-provincial authority for legislation respecting livestock and livestock products.

This Act gives the force of law within the Province to "The Livestock and Livestock Products Act", being chapter 120 of the Revised Statutes of Canada, 1927, and the amendments made thereto, insofar as any provisions of that Act are within the legislative authority of the Province and outside that of Federal jurisdiction.

LIVESTOCK PUBLIC SALES ACT, S.B.C. 1962, c. 33. Amendments: S.B.C. 1964, c. 28; 1965, c. 23; 1969, c. 35.

Minister of Agriculture.

Provides for the licensing of operators, cattle dealers and auctioneers.

No person shall act or hold himself out as an operator, a livestock dealer or an auctioneer unless he is a holder of a valid and subsisting licence. No person shall maintain or operate a public sale-yard unless he holds a valid and subsisting licence.

MEAT INSPECTION ACT, R.S.B.C. 1960, c. 237. Amendments: S.B.C. 1961, c. 37; 1963, c. 25.

Minister of Agriculture.

Provides for inspection of animals and carcasses in slaughtering plants and regulates plant conditions and methods of operation therein.

In areas established for the control of slaughtering of animals, no person may slaughter any animal unless he is a farmer slaughtering his own animals on his own premises, or is licensed under this Act, or registered under The Meat Inspection Act of Canada or any other meat inspection service approved by the Minister.

The Minister may appoint inspectors, who are authorized to enter any establishment and inspect the plant machinery, sanitation and any carcass or product found therein; to stop and detain and inspect any conveyance.

All animals intended for slaughter in any establishment where inspection services is provided must be inspected before entering those parts of an establishment where slaughtering is carried on. Every carcass, portion or product prepared for food in any establishment is subject to inspection during the whole course of preparation and packing. The types of regulations which the Lieutenant Governor in Council may make are detailed.

MILK INDUSTRY ACT, R.S.B.C. 1960, c. 243. Amendments: S.B.C. 1961, c. 2; 1962, c. 38; 1963, c. 38; 1964, c. 26; 1966, c. 28; 1973 (2nd Sess.) c. 128; 1975, c. 2.

Minister of Agriculture.

An Act respecting the dairy industry.

This Act provides for a milk board, for licensing of creameries and dairies, establishment of regulations governing grades and quality of milk and milk products, and standards for dairies, barns, milk parlours, etc., and also provides for exercising any authority or power granted to the board pursuant to the Agricultural Products Marketing Act (Canada).

Part I of this Act sets out provisions respecting milk production. A dairy farm operator must have a certificate that his farm is approved in the class and for the sale of milk for the purpose stated in the certificate. Inspectors are provided with the powers and duties to enforce the provisions of the Act and the regulations made thereunder.

Part II prescribes provisions for the pasteurizing, processing and manufacturing of dairy products. Plans and specifications of buildings to be used as creameries or dairies must be submitted to the Minister.

No vendor may sell, offer for sale, or supply a dairy product unless the container of the dairy product is labelled as required by regulation and the dairy product is of the standard prescribed by regulation.

In Part III the provisions regarding marketing are specified. The Milk Board is constituted and has powers to make orders for the purpose of controlling and regulating the marketing of milk produced in the Province. Other powers of the Board are specified. The Board may with the approval of the Lieutenant Governor in Council become a party to a comprehensive milk marketing plan to which the Canadian Dairy Commission is also a party.

The types of regulations which the Lieutenant Governor in Council may make are enumerated. There is provision for a plebiscite among holders of fluid-milk dairy farm certificates within an area for the establishment of a fund to promote the consumption of fluid milk.

OLEOMARGARINE ACT, R.S.B.C. 1960, c. 271. Amendments: S.B.C. 1973, (2nd Sess.) c. 135.

Minister of Agriculture.

An Act respecting oleomargarine.

Provides that where oleomargarine is served in public eating-places, the words "Oleomargarine is served here" must be displayed in a conspicuous place; that oleomargarine and butter shall not be mixed for sale or use in public eating-places.

The Act provides for the packaging and licensing to manufacture or sell wholesale, and for the making of regulations by the Lieutenant Governor in Council regarding issue of licences, term thereof and fee, standards of quality, and any other matter necessary to carry out the purposes of this Act.

Inspectors may enter and search premises where oleomargarine is manufactured or stored, and may search vehicles used in transporting oleomargarine and take samples of oleomargarine for testing.

POULTRY AND POULTRY PRODUCTS ACT, R.S.B.C. 1960, c. 291. Amendments: S.B.C. 1963, c. 32; 1967, c. 35.

Minister of Agriculture.

An Act respecting poultry and poultry products.

This Act empowers the Lieutenant Governor in Council to make regulations for the classification of eggs, dressed poultry and live poultry according to prescribed standards; for inspection, grading, packing, labelling, branding and marking of poultry products; for shipment, transportation, purchase and sale of same; and for appointment of inspectors, powers of inspectors, and penalties.

Every person engaged in the shipment, transportation, purchase or sale of any poultry product shall make all his poultry products available for inspection and grading as required by the regulation. Poultry products may be seized for contravention of any provision of this Act.

WOOL GRADES ACT, R.S.B.C. 1960, c. 412.

Minister of Agriculture.

Provides for establishing grades for wool and for inspection services.

The Minister may make regulations establishing grades for wool; providing for the inspection, grading, packages and packing, marking, handling, shipping, transporting or advertising of wool in the Province; and prescribing powers and duties of inspectors.

Inspectors are authorized to enter any premises or conveyances and inspect any wool therein. Inspectors may demand the production or furnishing of copies of, or extracts from, any books, shipping bills, bills of lading, or other records relating to wool.

VIII. PRODUCTION

1. General

PHARMACY ACT, S.B.C. 1974, c. 62. Amendments: S.B.C. 1964, c.38; 1965, c.34; 1966, c.45; 1974, c.62; 1975, c.37.

Minister of Agriculture for Sections 49-55 inclusive.

Provides for the destruction, or prohibition of use, of a harmful drug.

No person other than (a) a pharmacist or (b) a registered veterinarian may manufacture or sell a medicated feed or veterinary drug unless he has a valid and subsisting licence issued to him under Section 51. The terms and conditions for licensing are specified.

The Minister may appoint inspectors to enforce the provisions. Their powers and duties are listed. He may also cause the destruction or prohibit the sale or use of any agricultural or horticultural crop, product, animals, animal product or animal feed that is found to contain a substance considered by the Minister to be harmful to the health of a person or animal. The Minister is not liable to pay compensation for any economic loss that may occur as a result of any action taken under this Section (53).

Under Section 54, the Minister may prohibit the use in the Province of any veterinary drug. For the purpose of carrying out the provisions of Sections 49 to 54, the Lieutenant-Governor in Council may make regulations and orders.

VETERINARY LABORATORIES ACT, S.B.C. 1973, c. 158.

Minister of Agriculture.

Provides for the regulation and licensing of veterinary laboratory operators.

No person shall operate, directly or indirectly, a veterinary laboratory unless he is a registered veterinarian under the Veterinary Medical Act and the holder of a valid and subsisting licence issued to him in respect of that veterinary laboratory.

The Minister is empowered to prescribe the terms and conditions of the licence and may refuse to issue and suspend a licence. The duties of licensees are specified. The Minister may appoint inspectors; their powers are specified. The Act empowers the Lieutenant Governor in Council to make the necessary regulations.

2. Crops

CERTIFIED SEED-POTATO ACT, R.S.B.C. 1960, c. 48.

Minister of Agriculture.

An Act to facilitate the growing of certified seed-potatoes.

This legislation gives the Lieutenant Governor in Council authority to constitute certain lands a "seed-potato control area" and to appoint a Seed-control Committee of that control area if 80 percent of the owners of land in the proposed seed-potato control area sign a petition. The Lieutenant Governor in Council is empowered to make regulations to carry into effect the provisions of the Act.

The functions, powers and duties of the Committee are described. For the purpose of controlling, facilitating and protecting the growing of seeds within the seed-potato control area, the Committee has authority to restrict growing to authorized varieties and to enforce the provisions of this Act and its regulations. Within the control area it is illegal to plant or permit to grow any seed of a variety other than that described or authorized under this Act.

GRASSHOPPER-CONTROL ACT, R.S.B.C. 1967, c. 167. Amendment: 1975, c.2.

Minister of Agriculture.

Provides for measures to control grasshoppers.

Provision is made for the formation of grasshopper-control areas, each with an appointed committee. The committee may determine what measures shall be adopted and what work shall be done for the purpose of exterminating, controlling or abating grasshoppers. The committee may employ workers, pay their salaries and wages, purchase poisons and set poisons in the area.

The Minister is empowered to advance monies to the committee to carry out its work. The committee is prohibited from undertaking any expenditure or carrying any liability in excess of monies advanced.

PLANT PROTECTION ACT, R.S.B.C. 1960, c. 287. Amendments: S.B.C. 1962, c. 48; 1969, c. 35.

Minister of Agriculture.

An Act to provide for the protection of plants and to prevent the spreading within the Province of insects, pests and diseases destructive to vegetation.

The Lieutenant Governor in Council is empowered to make such regulations as are considered expedient to prevent the spreading within the Province of any insect, pests or disease destructive to vegetation.

The Act further provides for the appointment of inspectors, allows for the Minister to direct spraying of crops, and provides for licensing to sell nursery stock.

SEED-GROWER'S PROTECTION ACT, R.S.B.C. 1948, c. 299.

Minister of Agriculture.

An Act to facilitate the growing of pure seed of vegetable and field crops.

This Act provides for the constitution of seed-control areas by the Lieutenant Governor in Council; constitution of Seed-control Committees; the functions, powers and duties of Seed Committees; restriction of seed-growing to authorized varieties; and offences and penalties.

No person shall grow or permit to grow on any land of which he is the owner or occupier, within a seed-control area, any seed or variety other than that prescribed or authorized under this Act to be grown within the seed-control area.

WEED CONTROL ACT, S.B.C. 1973 (2nd Sess.) c. 162.

An Act respecting the control of weeds.

Provides for the duties of an occupier of land, appointment of inspectors, weed control regulations; further provides for the constitution of weed-control committees and the duties of these committees.

Every occupier shall control, in accordance with the regulations, noxious seeds growing or located on land and premises and on any other property located on land and premises occupied by him. The Minister may appoint inspectors; their responsibilities and powers are described. The Lieutenant Governor in Council may make such regulations as are considered necessary or appropriate to control noxious weeds.

The Council of a municipality may hire weed control officers, and the Minister may, on behalf of the Government of the Province, enter into an agreement with the Council of any municipality respecting noxious weed control and the cost of noxious weed control. The responsibilities of the Minister of Highways and the Minister responsible for crown lands insofar as weeds are concerned are set forth. Exemptions are also described. This Act replaces the Noxious Weeds Act, being chapter 267 of the Revised Statutes of British Columbia, 1960.

3. Livestock

BEE ACT, Bill 45, 1975.

Minister of Agriculture.

Repeals the Apiaries Act. Provides for the control of bee diseases and for other matters pertaining to the beekeeping industry.

The Minister is empowered to appoint a head of the Apiculture branch, inspectors and temporary employees holding beemasters certificates. Inspectors' powers and duties are prescribed, as are the responsibilities of beekeepers.

Inspectors may destroy or cause to be destroyed diseased bees and beehive equipment. Every person who suspects the existence of disease in his apiary is required to report this to an inspector.

Unregistered apiaries are prohibited. Registration requirements for apiaries and beekeepers are specified. The Minister has the power to cancel a registration certificate, but the Act makes provision for appeals and describes the appeal procedure.

No person may keep bees in a hive or structure that does not have movable combs. The requirements governing the sale of bees, salvage of beeswax and other related matters are described.

The Minister may establish quarantine areas and fix the duration and conditions of the quarantine. To move beehive equipment or beekeeping equipment into or out of a bee-quarantine area, a person must obtain a permit from an inspector.

CATTLE INDUSTRY DEVELOPMENT ACT, S.B.C. 1973, c. 11.

Minister of Agriculture.

Act repealed 1974, c. 111, under Natural Products Marketing (British Columbia) Act.

CONTAGIOUS DISEASES (ANIMALS) ACT, R.S.B.C. 1960, c. 73. Amended: S.B.C. 1974, c.87.

Minister of Agriculture.

An Act to prevent the spread of contagious diseases among animals.

This Act provides authority for developing and carrying out contagious and infectious disease control programs of the Department of Agriculture of the Province, or by the Department in co-operation with any Federal or Provincial authority.

The Minister is authorized to appoint inspectors, who must be graduates of a recognized school of veterinary medicine. He may designate any inspector appointed by the municipality under the provisions of the Milk Industry Act, or any veterinary inspector of the Health of Animals Division of the Department of Agriculture of Canada, an inspector under this Act.

Owners of animals that appear to be diseased are required to notify the nearest inspector or the Minister and to keep them separate from other animals till the inspector notifies him that they are free from disease. An inspector has the power to quarantine the animals and to order the disinfection of premises.

Cases of tuberculosis or brucellosis must be reported to the inspector or the Minister. Tests are required before animals are sold, with certain exceptions. An animal that has been subjected to a test for tuberculosis or brucellosis and has been designated by an inspector for retest must be isolated and the milk may not be sold for human consumption unless pasteurized according to the Milk Industry Act.

The Lieutenant Governor in Council may make regulations, and these have the same force and effect as if incorporated in this Act.

DOMESTIC ANIMAL PROTECTION ACT, S.B.C. 1973 (2nd Sess.) c. 114. Amended: S.B.C. 1975, c.2.

Minister of Agriculture.

Provides for the protection of domestic animals and for the payment of compensation resulting from damage caused by dogs.

All monies collected from licenses, dog tags and impounding fees are to be placed in a fund to be known as the Domestic Animal Protection Fund. The owner of a domestic animal that is killed or injured by a dog may apply for compensation in an amount prescribed by the regulations to be paid to him out of this fund. He must file a report in prescribed form and submit it to a domestic animal protection officer within 48 hours after he has become aware of the killing or injury. The Act also describes what legal action may be taken in the case of dog packs, dogs causing injury or damage, and dogs running at large.

This Act does not apply within the boundaries of a municipality, but the Minister may declare, where he is of the opinion that a municipality is not adequately providing for the protection of domestic animals or for the payment of compensation resulting from damage caused by dogs, that this Act, or any provision of it, applies to that municipality.

FARM PRODUCTS INDUSTRY IMPROVEMENT ACT, S.B.C. 1973, (2nd Sess.) c. 116. Amendments: 1974, c. 33; 1975, c. 2; 1975, c. 20.

Minister of Agriculture.

Provides the authority under which the Minister may make grants and loans to an agricultural enterprise; guarantee interest and other costs as well as the principal on loans; establish a corporation as well as a branch or agency; and may authorize lending institutions to process applications on his behalf. It also allows the Minister to exercise further powers for the purpose of encouraging and assisting in the continued development and expansion of the agricultural industry in the Province.

Grants, loans, etc., are for the purpose of enabling an agricultural enterprise to: acquire needed facilities for handling, processing, storing, or distributing agricultural products, including packing-houses and processing plants; purchase, lease or otherwise acquire land, building, machine, equipment, livestock, materials and supplies; maintain operating capital; and to consolidate debts and outstanding liabilities, and to carry out a feasibility study. The total loan, investment and guarantee in respect of one agricultural enterprise is limited to \$100.00.

Grants, loans etc. are also made to a producer-owned organization to enable it to invest in an enterprise situated outside the Province that does or will process agricultural products of those producers.

The Lieutenant Governor in Council is empowered to make the necessary regulations and orders.

FUR-FARM ACT, R.S.B.C. 1960, c. 159. Amendments: S.B.C. 1965, c. 14 and 1971, c. 19.

Minister of Agriculture.

Provides for licensing and regulation of fur-farms.

This Act prescribes the authority for the measures to be taken for the purpose of maintaining fur-farm premises in a sanitary condition and for the control of disease of fur-bearing animals on farms. Every fur-farm operator must be licensed, must maintain clean and sanitary premises, and must notify the Provincial Veterinarian if any of his fur-bearing animals contact a contagious or infectious disease. The Provincial Veterinarian may order that a fur-farm be put into quarantine if he suspects or knows of the existence of disease. Inspectors appointed under this Act may, between 9 a.m. and 5 p.m. on any day except Sunday, enter a fur-farm and any buildings for the purpose of inspecting them, the fur-bearing animals, and the records and books kept by the licensee. The types of regulations which the Lieutenant Governor in Council may make are listed. A license fee schedule for fur-farms is attached.

GRAZING ACT, R.S.B.C. 1960, c. 168. Amendment: S.B.C. 1961, c. 59; 1976, c. 32.

Minister of Environment.

Provides for the establishment of grazing districts and provides for regulations respecting their use.

The Lieutenant Governor in Council may constitute any part of the Province a grazing district and may define, redefine, reduce, or extend the limits of any grazing district or abolish any grazing district.

The Minister has the control and management of all crown ranges within any grazing district. Resident stock-owners are to be given priority in the granting of grazing permits. Free or partially free grazing permits may be issued to settlers. The running at large of unbranded bulls is prohibited on Crown range or on unfenced lands of a private owner.

HORNED CATTLE PURCHASES ACT, R.S.B.C. 1960, c. 176. Amendment: 1963, c. 16.

Minister of Agriculture.

Permits the Minister to collect \$2.00 per head for each head of cattle with horns and provides for the use of these monies for the improvement of livestock.

Every dealer who purchases cattle with horns must purchase them at the current market price for cattle that are poled or that have been dehorned, and must pay to the vendor that price, less the sum of \$2.00 per head for each head of cattle with horns so purchased. These deductions are to be forwarded monthly to the Minister. Every person, including every co-operative association, must pay to the inspector at the point of shipment \$2.00 for each head of cattle with horns shipped by him for slaughter to a place within the Province. Registered purebred cattle sold for breeding purposes are exempted under this Act.

Money collected must be used for paying the expense of administering this Act and expenses for the improvement of livestock.

LIVESTOCK PRODUCTION ACT, S.B.C. 1973 (2nd Sess.), c. 123.

Minister of Agriculture.

Provides for the establishment of livestock production control areas and for the regulation and licensing of those engaged in the business of providing artificial insemination service.

Subject to this Act and the regulations, no person shall permit livestock owned or controlled by him to run at large in the Province. Any person who suffers damages caused by livestock running at large, other than in the manner authorized by this Act and the regulation, may take proceedings in any court to recover from the owner of the livestock the amount of such damages.

This Act does not apply within the boundaries of a Municipality but the Lieutenant Governor in Council may, where he is of the opinion that a Municipality does not adequately provide for the protection and control of livestock within its boundaries, order that this Act, or any provision of it, applies to that Municipality.

The Lieutenant Governor in Council may designate any area of the Province as a livestock control area. Where a livestock control area is designated the Minister may constitute a Livestock Control Area Committee and prescribe the duties and powers of that Committee; and subject to the regulations he may prescribe the constitution of that Committee.

No person shall operate an artificial insemination centre, or carry on business as a technician, unless he is a holder of a valid and subsisting licence authorizing him to do so. The Minister is empowered to prescribe the terms and conditions of licensing. Other powers of the Minister are described.

STOCK BRANDS ACT, R.S.B.C. 1960, c. 371. Amendments: S.B.C. 1961, c. 59; 1963, c. 43; 1964, c. 53; 1967, c. 50; 1969, c. 36; 1973, c. 85; 1975, c. 2.

Minister of Agriculture.

An Act respecting the marking of cattle and horses.

This Act provides for branding of stock and for brand inspection, and makes provision for application, restriction, registration and transfer of brands. In a prescribed area, cattle, horses and hides moving from one district to another are required to be brand-inspected.

The Act also provides for the licensing of slaughterhouses, licensing for the slaughter of horses for human and animal food, the licensing of persons to deal in hides, and the licensing of stock-dealers. The Lieutenant Governor in Council may make regulations for the purpose of regulating and controlling the slaughtering of horses and the sale and shipment of horsemeat.

The Lieutenant Governor in Council may appoint a Recorder of Brands to have charge of the administration of this Act subject to the direction of the Minister. The Minister may appoint a Board of Brand Commissioners.

Every person operating a vehicle that is transporting on a public highway stock or beef out of, into, or through a prescribed area must report for inspection to the closest Royal Canadian Mounted Police Detachment or Inspector situated in the prescribed area. No carrier shall receive for carriage or carry any stock unless the owner or his agent deposits with the carrier at the time he receives the stock either a memorandum of sale showing a complete description of the stock and every brand on it, or a brand inspection certificate issued by an inspector in respect of the stock to be shipped.

BRITISH COLUMBIA

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Provincial Agricultural Legislation up to 1977

Western Provinces

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